

CALIFORNIA MEDICAL ASSOCIATION

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NOTICES AND REPORTS

New California Medical Association Constitution and By-Laws

The following is a tentative draft of a proposed revision of the Constitution and By-Laws of the California Medical Association. Work on the revision was undertaken first by a committee of 16 authorized by the 1947 House of Delegates to review the existing document. That committee's draft was referred to a committee of five by the 1948 House of Delegates for further study.

Comments and suggestions by C.M.A. members, which are solicited by the committee, should be addressed: Committee on Constitution and By-Laws, Sam J. McClendon, M.D., chairman, California Medical Association, 450 Sutter Street, San Francisco 8.

CONSTITUTION

ARTICLE I.—NAME, PURPOSES AND ORGANIZATION

Section 1.—Name

The name of this organization is California Medical Association (hereinafter referred to as the Association).

Section 2.—Purposes

The purposes of this Association are to promote the science and art of medicine, the protection of public health, and the betterment of the medical profession; to promote similar interests of its component societies; and to unite with similar organizations in other states and territories of the United States to form the American Medical Association.

Section 3.—Organization

This Association has two divisions: One, the Association as an organization; and Two, the Scientific Assembly. The Association as an organization includes component societies and their active members, the House of Delegates, Council, Commissions

and Standing Committees. The Scientific Assembly includes all members of the Association and the scientific sections.

Section 4.—Definition of Component Societies

Component societies include all county medical societies (which may cover one or more counties) heretofore or hereafter chartered by this Association.

Section 5.—Component Society Charters

Charters to component societies may be granted and revoked as hereinafter prescribed, subject to the limitation that only one charter may be outstanding at any one time in any county.

ARTICLE II.—MEMBERSHIP

Section 1.—Classes of Members

The members of this Association shall consist of Active, Associate, Honorary, Retired, Life and Affiliate members.

Section 2.—Membership Qualifications, Rights, Privileges, Duties and Method of Election

The qualifications, rights, privileges, duties, obligations and methods of election of the several classes of membership are as stated in the By-Laws.

County Society Secretaries' Conference

A conference of secretaries of the component medical societies of the California Medical Association, the first since the entrance of the United States into the war, will be held February 4 and 5, 1949, in San Francisco. Formerly such conferences were held annually. Date for the 1949 conference was set by the Executive Committee of C.M.A. at a meeting in August.

ARTICLE III.—GOVERNMENT OF THE ASSOCIATION

Part A.—House of Delegates

Section 1.—Composition

The House of Delegates shall consist of:

(a) Delegates elected by the members of component societies; and

(b) Officers of the Association as hereinafter provided.

Section 2.—Representation

As the By-Laws shall provide, each component society shall be entitled to proportionate representation in the House of Delegates but with a minimum of one delegate.

Section 3.—Alternates

One or more alternates shall be elected for each delegate in the same manner as delegates are elected. One alternate shall be seated in place of each delegate absent or disqualified for failure to attend meetings or other cause.

Section 4.—Terms of Delegates and Alternates

Delegates and alternates shall serve for three years. One third, as nearly as possible, of the allowed number shall be elected each year.

Section 5.—Quorum

A majority of the authorized number of delegates shall constitute a quorum.

Section 6.—Functions of the House of Delegates

The House of Delegates shall be the legislative body of the Association and, in addition, shall exercise such other functions as the By-Laws may prescribe.

Section 7.—Issuance and Revocation of Charters

(a) The House of Delegates shall issue charters to medical societies of a county or combination of counties deemed eligible and having made proper application therefor.

(b) The House of Delegates may suspend or revoke any such charter, after due notice and proper hearing, for cause. "Cause" shall be considered to be any conduct or action, on the part of any component society, deemed in contravention of the Constitution and By-Laws of the Association or the American Medical Association or its "Principles of Medical Ethics." "Cause" shall further be deemed to be any conduct or action of a component society deemed inimical to the best interests of the Association.

(c) It may act on the withdrawal or secession of any component society from the Association and take such measures as are deemed advisable and proper for reinstatement of any component society which may have withdrawn or had its charter suspended or revoked.

(d) A two-third affirmative vote of the delegates present and voting shall be necessary for any action under the provisions of this section.

Section 8.—Sessions of the House of Delegates

In each year there shall be one or more regular sessions of the House of Delegates as fixed in the By-

Laws. Special sessions may be called and held as provided in the By-Laws.

Part B.—Council

Section 9.—Composition

The Council shall consist of:

(a) One Councilor, elected from each district; and

(b) The President and President-Elect of the Association.

In addition, the Speaker, Vice-Speaker, Secretary-Treasurer, and Editor, all ex-officio but without the right to vote.

Section 10.—Councilor Districts

There are fifteen councilor districts as follows:

District Number One, comprising San Diego and Imperial counties.

District Number Two, comprising Orange, Riverside and San Bernardino counties.

District Number Three, comprising that area included in the 1937 city limits of the City of Los Angeles and now (1948) known as Councilor District No. 1 (g) of the Los Angeles County Medical Association.

District Number Four, comprising the balance of Los Angeles County except as stated in District Number Three, now known (1948) as Councilor District No. 2 to No. 7, inclusive, of the Los Angeles County Medical Association.

District Number Five, comprising Ventura, Santa Barbara and San Luis Obispo counties.

District Number Six, comprising Monterey, San Benito and Santa Cruz counties.

District Number Seven, comprising Santa Clara and San Mateo counties.

District Number Eight, comprising San Francisco County.

District Number Nine, comprising Alameda and Contra Costa counties.

District Number Ten, comprising Kern, Kings, Tulare, Inyo, Mono, Madera and Fresno counties.

District Number Eleven, comprising Merced, Mariposa, Stanislaus, Tuolumne, Alpine, Calaveras and San Joaquin counties.

District Number Twelve, comprising Sacramento, Amador, Eldorado, Placer, Nevada, Sierra, Yuba, Sutter, Yolo, Colusa, Glenn and Butte counties.

District Number Thirteen, comprising Plumas, Tehama, Shasta, Lassen and Modoc counties.

District Number Fourteen, comprising Siskiyou, Del Norte, Humboldt, Trinity, Mendocino and Lake counties.

District Number Fifteen, comprising Sonoma, Napa, Solano and Marin counties.

Section 11.—Election of Councilors

Councilors shall be elected by vote of the delegates within each district in the manner and at the time specified in the By-Laws.

Section 12.—Councilors: Terms of Office

Councilors shall serve for terms of three (3) years; one-third to be elected in each year.

Section 13.—Council: Powers and Duties

Subject to the provisions of this Constitution, and all resolutions and enactments of the House of Delegates, the Council shall be vested with full and complete power and authority to manage, control, use, invest, reinvest, lease, make contracts in respect of, and concerning, convey, give, grant, transfer or otherwise dispose of all property and assets of whatever kind or nature owned by the Association, and shall also be vested with full and complete power and authority to do and perform all acts and to transact all business for and on behalf of the Association and to manage and conduct all the work and activities of the Association in carrying out the purposes thereof. The Council shall have such additional duties, powers and functions as are prescribed in the By-Laws.

Section 14.—Election of Councilors on Adoption of this Constitution

Upon the adoption of this Constitution, the delegates from each district shall proceed to elect Councilors as follows: At the annual meeting at which this Constitution is adopted, the Councilors of the First, Fourth, Seventh, Tenth and Thirteenth Districts shall be elected for terms of one year each; Councilors of the Second, Fifth, Eighth, Eleventh and Fourteenth Districts shall be elected for terms of two years each; and Councilors of the Third, Sixth, Ninth, Twelfth and Fifteenth Districts shall be elected for terms of three years each. Thereafter, as each term expires, the delegates from the districts shall elect a Councilor to serve for a term of three years.

Upon the adoption of this Constitution and the election of fifteen district Councilors, as above provided, the terms of office of the Councilors elected prior to the adoption of this Constitution shall immediately cease and terminate.

ARTICLE IV.—FUNDS, PROPERTY, DUES, ASSESSMENTS AND EXPENDITURES**Section 1.—Annual Dues**

At each regular session the House of Delegates shall, by a majority vote, fix the annual dues to be paid by members of the Association for the ensuing calendar year. Dues payable by active members shall be uniform and equal, except that the House of Delegates may reduce dues for certain groups (by general classification) as the By-Laws may expressly permit.

Dues payable by associate members shall be uniform and equal but may be set at not less than one half the regular dues for active members.

Section 2.—Military Service

During any period at which the United States is at war or requires services of doctors of medicine under an universal military training program, annual dues may be reduced or waived by the House of Delegates with respect to those members serving in the Armed Forces of the United States during the whole or any part of any year.

Section 3.—Leaves of Absence

The Council, on recommendation of a component society, may grant leaves of absence to active members who are seriously ill and cannot practice or who leave practice temporarily for postgraduate study or other purposes acceptable to the component society and the Council and during such leave no dues shall be payable; provided no leave may exceed one year.

Section 4.—Special Assessments, etc.

Funds may also be raised by any of the following methods: (a) publications of the Association; (b) voluntary contributions; (c) bequests, legacies, devises, and gifts; (d) special assessments levied by the House of Delegates; and (e) in any other manner approved by the House of Delegates. In the event that the House of Delegates levies any special or other assessment than the annual assessment of dues, it may, in the resolution levying the assessment, fix and determine the time within which such assessment must be paid, the class or classes of members of the Association upon whom it is levied, and the penalty, if any, including forfeiture or suspension of membership in this Association or the component society, or both, to result from nonpayment thereof within the time prescribed.

Section 5.—Annual Budget and Expenditures

At each regular session of the House of Delegates, the Council shall submit to it an itemized budget stating the proposed expenditures of the Association for the ensuing year. The budget shall contain a contingency fund not exceeding the amount specified in the By-Laws, such fund to be available for expenditure at the discretion of the Council. The budget may be altered or revised by the House of Delegates, but must be adopted by the House before adjournment of the session. After its adoption, no expenditures in excess of the amount of the budget item covering the subject of such expenditures may be made in the year covered by the budget by the Association or any of its officers, agents or employees, unless the House of Delegates shall first approve such excess expenditure by resolution duly adopted. Recurring items in the budget (fixed expenditures covering more than one year), shall, when first adopted, be binding as to subsequent budgets to the extent of commitments or obligations entered into by the Association within authority granted by the House of Delegates or this Constitution or the By-Laws.

Section 6.—Benevolence Fund

At least \$1.00 out of the annual dues paid by each member of the Association shall be allocated to the Physicians' Benevolence Fund and shall only be used for the purposes as set forth in the By-Laws.

Section 7.—All Funds and Moneys to Be Paid to Secretary-Treasurer and Deposited With Depositary

All funds and moneys received for the Association by any officer or agent thereof shall be promptly paid to the Secretary-Treasurer and by him deposited with a depositary selected as such by the Council.

All depositaries selected by the Council shall be banks or trust companies duly licensed to transact business as such in the State of California.

Section 8.—Membership Interest in Association Property

No person other than an active member in good standing shall have any interest in the property of the Association and the interest of any active member therein shall cease when he ceases to be a member of the Association.

If any active member shall resign or otherwise cease to be an active member of the Association, all of his interest in and to all property of the Association shall cease and such cessation of membership shall operate as a release and assignment to the Association of all the right, title and interest of such member in and to all the property of the Association.

ARTICLE V.—REFERENDUM AND PETITION

Section 1.—Referendum and Petition

The right of referendum and petition shall be as set forth in the By-Laws.

ARTICLE VI.—OFFICERS

Section 1.—Officers

The officers of this Association shall be a President, a President-Elect, a Secretary-Treasurer, a Speaker of the House of Delegates, a Vice-Speaker of the House of Delegates, an Editor and fifteen Councilors.

Section 2.—Powers and Duties of the President-Elect

The President-Elect shall act for the President in his absence or disability, and if the office of President becomes vacant the President-Elect shall then succeed to the Presidency to serve as President for such unexpired term and for the term of one year thereafter.

ARTICLE VII.—SCIENTIFIC ASSEMBLY

Section 1.—Objects

The Scientific Assembly of the California Medical Association is the convocation of its members for the presentation and discussion of subjects pertaining to the science and art of medicine.

Section 2.—Sections

The Scientific Assembly shall be divided into sections, each section representing that branch of medicine described in its title.

Section 3.—Creation of New Sections

New sections may be created or existing sections discontinued by the House of Delegates. The Scientific Assembly and its sections shall be conducted in accordance with the provisions of this Constitution and the By-Laws, and such other instructions by the House of Delegates or the Council as may not be in conflict therewith.

ARTICLE VIII.—MISCELLANEOUS

Section 1.—Incorporation

(a) To aid in carrying out the objects of the Association, the House of Delegates at any meeting of any

regular or special session thereof may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to cause the formation and organization of a non-profit corporation under the laws of the State of California, without capital stock, with such incorporators, name, purposes, objects, principal place of business, term, number of directors and directors to serve for the first year and until their successors are elected and have accepted office, and with such provisions regarding the voting power and property rights and interests of the members of the corporation and such further provisions in the Articles of Incorporation thereof, and with By-Laws and composed of such members representing this Association as the Council shall prescribe, fix and determine. The House of Delegates may at its option in connection with the granting and giving of such authority, power and direction to the Council, prescribe, fix and determine any or all of such matters pertaining to the said corporation, its Articles of Incorporation and any provision thereof, By-Laws and membership, and its action thereon shall bind the Council; and the House of Delegates at any meeting of any regular or special session thereof may by a two-thirds vote of the members thereof present and acting, authorize, empower and direct the Council to grant, assign, transfer, convey and deliver, or cause to be granted, assigned, transferred, conveyed and delivered to the said corporation upon the formation thereof without any consideration therefor, any property, real or personal, of the Association, which authorization, power and direction may be given prior or subsequent to the formation and organization of said corporation.

(b) To further aid in carrying out the objects of the Association, the House of Delegates at any meeting at any regular or special session thereof may, by a two-thirds vote of the membership thereof present and acting, authorize, empower and direct the Council to cause the formation and organization of one or more corporations under the laws of the State of California with such incorporators, name, purposes, county where the principal office for the transaction of business is to be located, first directors, the total number of shares, the aggregate par value, if any, of all shares, classes of shares, par value of any shares having par value, statement of the provisions, privileges and restrictions granted or imposed upon the respective classes of shares, or if the corporation be formed without capital stock the authorized number and qualifications of its voting and other rights of each class of members and the liability of each and all classes, to dues or assessments, and with such further provisions in the articles of incorporation thereof and with such by-laws as the Council shall prescribe, fix and determine; and the House of Delegates at any meeting of any regular or special session thereof may, by a vote of two-thirds of the members thereof present and acting, authorize, empower and direct the Council to grant, assign, transfer, convey or deliver or cause to be granted, assigned, transferred, conveyed or delivered to any of such corporations upon the formation thereof or to applicants for health and

accident or other insurance in or from any of said corporations at or prior to the formation thereof without any consideration therefor, such funds and property, real or personal, of this Association as the House of Delegates shall from time to time authorize or ratify.

Section 2.—Seal

The Association shall have an Association seal consisting of a circle having on the circumference the words "California Medical Association, Eureka, 1856," with such further emblems, figures and words as the House of Delegates, on recommendation from the Council, shall prescribe.

The power to change the seal shall rest with the House of Delegates.

Section 3.—Amendments

Any member of the House of Delegates at any meeting of any regular annual session thereof may present an amendment or amendments to any article or articles or any section or sections of any article or articles of this Constitution.

Such proposed amendment or amendments shall be in writing and shall be filed with the Secretary and shall thereafter be published at least twice in separate issues of the official journal of this Association prior to the next regular session of the House of Delegates.

At the said next regular session of the House of Delegates, such proposed amendment or amendments shall be submitted to the House of Delegates, for consideration at any meeting of the House of Delegates during that annual session, and if two-thirds of the Delegates present and voting vote in favor thereof, the same shall be adopted.

Section 4.—Repeal of All Provisions of Existing Constitution

All articles and all sections and all parts of all articles of the existing Constitution are hereby repealed.

BY-LAWS

CHAPTER I.—COMPONENT SOCIETIES

Section 1.—Component Society Charters

The charter of each component society shall provide that all the provisions of the Constitution and By-Laws of this Association in force at the time of the issuance of such charter, together with all amendments to either thereof thereafter adopted, in so far as the same are applicable, shall be an integral part of the Constitution and By-Laws of the component society to which the charter is issued and that the terms and provisions thereof shall control and govern such component society, the officers and members thereof, and that the constitution and by-laws of the component society shall not be amended in any way to conflict or be inconsistent with the Constitution and By-Laws of this Association. Each charter shall be signed by the President and the Secretary-Treasurer of this Association.

Section 2.—Revocation of Component Society Charters

The charter of any component society may be revoked by the House of Delegates if, after the filing with the Secretary-Treasurer of this Association of a written petition or protest signed either by the Chairman of the Council pursuant to resolution adopted by the Council by the affirmative vote of two-thirds of all the members thereof, and after due notice of hearing and after hearing thereof, the House of Delegates by a two-thirds vote of its members decides that the provisions of the Constitution or By-Laws of this Association or of the charter of such society have been breached by such society or that such society has committed acts or conducted itself in conflict with the Constitution, By-Laws or purposes of this Association to such extent as to make such revocation desirable in the best interests of this Association.

Section 3.

(a) *Geographical or Specialty Sections.* A component society may authorize the formation and existence of branch geographical or specialty sections for scientific investigation and work only, and the members of such geographical sections or specialty sections must be members of such component society.

(b) *Members in Sections to Be Members of Respective Component Societies.* No geographical or specialty section shall be permitted to have any classes of members which classes in whole or in part include non-members of the component society of which any such geographical or specialty section is a branch or subdivision; provided that nothing in this section shall be construed as limiting the guest privileges of such non-members at meetings of such section.

Section 4.—Component Societies Exclusive Judges of Qualifications of Applicants for Membership

Each component society shall, subject to the minimum requirements for eligibility as provided by the Constitution, determine the qualifications for membership therein and shall be the sole judge of the qualifications of applicants for such membership.

A member must not practice or claim to practice, support, cooperate with or in any other way endorse any exclusive or sectarian system of medicine. He shall be honorable and ethical in his conduct and shall subscribe to the principles of medical ethics of the American Medical Association and to such as may from time to time be adopted by the California Medical Association, and shall recognize the authorized officers of his component society and of this Association as the proper authority to interpret any doubtful points in ethics.

Every applicant for membership in a component society shall fill out and sign in duplicate the application blanks provided by the society, which prescribe the necessary qualifications for membership. One copy of each such application shall be promptly forwarded to the office of this Association.

Section 5.—Component Society Rosters of Members and of Licensed Physicians in Counties

The Secretary of each component society shall keep a roster of its members and of the non-affiliated registered physicians of the county, on which shall be shown the full name, address, school and date of graduation, date of license to practice in this State and such other information as may be deemed necessary. In keeping such roster the component society's secretary shall note and at once notify the Secretary-Treasurer of this Association of any changes in the personnel of the profession, by death, by resignation, or by removal to or from the county, and in making his annual report he shall endeavor to account for every physician who has lived in the county during the year. The secretary of each component society shall make a monthly report to the Secretary-Treasurer of this Association upon such forms and including such subjects as are herein provided, and as the Council may authorize.

CHAPTER II.—MEMBERSHIP

Section 1.—What Constitutes Membership

The name of a doctor of medicine on the official roster of this Association, after it has been properly reported by the secretary of his component society, and after the dues or other assessments due this Association shall have been paid by the component society for each such member according to the class of membership held by each component society member, shall be prima facie evidence of membership, and of his right to register at the Annual Session.

Section 2.—Qualifications for Membership and Method of Election Thereof

(a) *Active Members.* Active members shall comprise all active members of all the component societies. No person shall be eligible for election to active membership in a component society unless he shall hold the degree of Doctor of Medicine issued to him by an institution of learning, accredited at the time of conferring such degree by the American Medical Association or the Association of American Medical Colleges. He must also hold an unrevoked license to practice medicine and surgery in the State of California; provided, however, that subject to the minimum qualifications prescribed by this Constitution and the By-Laws, each component society shall be the exclusive judge of the qualifications of the members thereof.

(b) *Associate Members.* Associate members may be elected by the Council, upon recommendation of the component societies of the counties in which the associate members reside, from those doctors of medicine engaged in teaching or research work or holding positions in the Federal Service or otherwise, and from other persons engaged in medical teaching or research or other scientific work contributing to medicine and the public health.

(c) *Retired Members.* Retired members shall be elected by the Council on the recommendation of any component society from those active members thereof who cease the practice of medicine for reasons satis-

factory to such component society and the Council, and who shall have been active members of the Association for a total of ten years prior thereto.

(d) *Honorary Members.* The House of Delegates on recommendation by the Council may elect as honorary members any persons distinguished for their services or attainments as doctors of medicine or in the field of public health, or for research or other scientific work contributing to medicine.

(e) *Life Members.* Life members may be elected by the Council on the recommendation of any component society from those active members thereof who have been active members of this Association continuously for a period of twenty (20) years or more and are more than fifty years of age. Those active members over seventy years of age need not be recommended by any component society but are eligible to life membership on direct application to the Council. The Council may not elect to life membership any active member whose membership has not been continuous or who has ever been censured, suspended or expelled from the American Medical Association, this Association, any state medical association which is a constituent unit of the American Medical Association, or any county medical society which is a component part of this Association or a unit of any other state medical association.

(f) *Affiliate Members.* The House of Delegates may, from time to time, establish special and limited classes of membership in this Association for internes, junior and senior residents, or house officers, practicing in hospitals in this state. In establishing such special membership for internes, junior and senior residents, or house officers, the House of Delegates may determine the qualifications, duration and privileges of such membership. Unless the House of Delegates determines to the contrary, such special members shall not pay dues.

The House of Delegates may also from time to time provide for affiliation with the California Medical Association, on an affiliate basis, of undergraduate medical students attending medical schools in this state.

Section 3.—Rights and Privileges of Membership

(a) *Active Members.* Subject to the provisions of the Constitution, all active members shall have the right of suffrage and all other rights and privileges of the Association.

(b) *Associate Members.* Subject to the Constitution, associate members shall have all of the rights and privileges of active members, except the right to vote or hold office.

(c) *Retired Members.* Subject to the Constitution, retired members shall be entitled to receive publications of the Association at such rates as the Council from time to time may determine. Retired members shall not have the right to vote or to hold office. Retired members shall not be required to pay dues unless the House of Delegates determines otherwise, and then the rate of dues shall be fixed by the House of Delegates.

(d) *Honorary Members.* Subject to the Constitution, honorary members shall not be obliged to pay

dues and shall not have the right to vote or to hold office.

(e) *Life Members.* Life members, as a condition to election as such, shall pay to the Association such sum as may be fixed by the Council as a life membership fee. In each year the Council, at its annual organization meeting, shall determine the life membership fee for the ensuing year, basing same on the life expectancy of applicants in various age groups and upon the amount of existing annual dues for active members. In fixing life membership dues the Council may fix different amounts for different age groups. Subject to the foregoing provisions, the fee for life membership in each year shall be uniform and applicable to all active members falling within the respective classifications, as determined by the Council. After payment of the life membership fee, life members shall not be obliged to pay dues and shall not be liable for assessments of any kind or nature. If active membership in good standing is maintained in his component society, each life member shall have the right to vote, to hold office, and shall have all other rights and privileges of the Association. If active membership in his component society is not maintained, the rights and privileges of a life member shall be those of a retired member.

(f) *Affiliate Members.* Affiliate members shall not have the right to vote or hold office, and may be elected to such membership for specified terms and subject to continuance of student, interne or hospital resident status, but shall have all other privileges of membership.

(g) *Additional Classes of Membership.* Subject to the Constitution, the House of Delegates may from time to time establish special and limited classes of membership and fix the dues, qualifications, duration and privileges of such membership.

Section 3.—Termination of Membership

(a) *By Expulsion from Component Societies.* Expulsion from any component society, after due proceedings in accordance with these By-Laws, upon becoming final terminates all the rights and privileges in this Association of the member so expelled.

(b) *By Failure to Pay Dues.* If the annual assessment of dues, payable to this Association by any member of this Association, is not paid on or before April 1 of any year, such member shall automatically lose his membership in this Association as of April 1 of such year. The Council of this Association, in its discretion, upon payment of such unpaid dues, and any other assessments or dues accruing thereafter, may at any time reinstate such member.

(c) *By Revocation of Physician and Surgeon's Certificate.* Any active member whose license to practice medicine and surgery in the State of California is revoked shall, upon receipt of written evidence of such revocation by the Secretary of this Association, thereupon cease to be a member of this association.

(d) *Acts and Conduct Subjecting Member to Censure, Suspension or Expulsion by Component Society.* Any active member of a component society

who has been adjudged guilty of a criminal offense involving moral turpitude, or who has been duly adjudged guilty by his society, in accordance with the procedural requirements of these By-Laws, of gross misconduct as a physician or a surgeon or of a violation of any of the provisions of the constitution or by-laws or principles of professional conduct of his society or of the principles of medical ethics promulgated from time to time by this Association or by the American Medical Association, shall be subject to censure, suspension or expulsion from his society by such component society.

(e) *Right of Committee on Membership and Organization of This Association to Prefer Charges.* If a member of this Association is believed by the Committee on Membership and Organization of this Association to be guilty of conduct justifying censure, suspension or expulsion from his component society, said committee may prefer written charges in the form and in the manner hereinafter specified with the secretary of the accused member's county society and may, through a member or members thereof, perform all acts that are reasonably necessary and proper in the prosecution of said charges.

Section 4.—Disciplinary Procedure

(a) *Disciplinary Procedure for Component Societies.* The procedure to be followed by each component society with respect to the censure, suspension or expulsion of a member shall be:

(1) *Charges; Formal Requirements; a Formal Charge Must First Be Made.* Such charge must be in writing, signed by the accuser, and if made by a person other than a member of the society must be sworn to before an officer of the State of California authorized to administer oaths. Charges must state the acts or conduct complained of with reasonable particularity.

(2) *Charges; Filing; Secretary's Duties; Presentation to Board of Directors (or Grievance Committee).* Charges must be filed with the secretary of the accused member's component society. At the first regular or special meeting of the Board of Directors of such component society held after charges are filed, the secretary must present said charges to the Board. The Board of Directors shall then or at any adjournment of said meeting, but not more than thirty days after the date of such regular or special meeting, consider the charges, and in its discretion determine whether or not further proceedings shall be conducted. If the Board determines that no further action shall be taken, the charges shall be dismissed.

If a component society has no board of directors and more than ten members, its members must, at a regular meeting of the society, elect a grievance committee of not less than five (5) active members in good standing; two members shall be designated by the society to serve for a period of one year, two members shall be designated to serve for a period of two years, and one member shall be designated to serve for a period of three years. At the expiration of the terms of office of the respective members of such

committee, successors shall be elected in like manner to serve for a period of three years each. Such grievance committee shall exercise all the power and perform all the duties herein conferred upon boards of directors in the manner and within the times herein provided. If a society has less than eleven members, the entire society, exclusive of the accuser and accused, shall constitute the grievance committee. All references herein to board of directors shall be deemed to include boards of councilors and such grievance committees, and component societies of ten members or less.

(3) *Service of Charge Upon Accused.* If the Board of Directors determines that further action, with respect to said charges, shall be taken, the Board must, within fifteen (15) days after such decision, cause a copy of the charges to be served upon the accused by personally delivering a copy thereof to him, or by depositing a copy thereof in the United States mail, registered and addressed to the accused either at his last known office or at his last known residence.

(4) *Time and Place for Hearing; Service of Notice Thereof.* The Board of Directors shall, at said meeting at which its decision to proceed is made, fix a time and place for a hearing of said charges. Written notice of the time and place set for the hearing shall be served upon the accused within fifteen (15) days by personal delivery or registered mail as aforesaid.

The time so set for a hearing shall be not less than fifteen (15) days after the accused has been served as aforesaid, with a copy of the charges and with the notice of the time and place set for the hearing; said hearing must be held within the county in which the accused holds his county society membership. The hearing before the Board of Directors must actually commence within six months from the date of the filing of written charges. Failure to comply with this requirement shall constitute an automatic dismissal of the charges.

(5) *Right of Accused to Answer; Time to Answer; Formal Requirements.* The accused may, not less than five (5) days before the time set for a hearing, answer said charges. The answer shall be in writing and the original and three copies shall be filed with the secretary of the society; provided, however, that the failure of the accused to answer shall not be deemed to be an admission of the truth of the charges or a waiver of the accused's right to a hearing with respect to said charges.

(6) *Rules Governing Hearing; Duties of Referee of Society; Advice as to Procedure Only.* The Board of Directors shall give ample opportunity both to the accuser and the accused to be heard in person, and to present all testimony, evidence, or proofs which the accuser or the accused may deem necessary, provided that the Board may reject all testimony, evidence, or proofs, which in the judgment of the Board are immaterial, irrelevant or unnecessarily repetitious.

Either the Council or the Executive Committee of the California Medical Association, whenever it shall

come to the attention of either thereof that a disciplinary proceeding is pending before any component society, may of its own motion, and shall, upon the request of such component society or of the member or members thereof the subject of any such disciplinary proceeding, appoint a referee who may, but need not be, a member of the California Medical Association, and shall cause the Secretary of the California Medical Association to notify the secretary of such component society of such appointment. The referee so appointed shall preside at the hearing of said charges and shall make all decisions concerning the admission or rejection of testimony or other evidence and procedure. The referee shall not, however, have any voice nor participate in any manner in the determination by the Board of Directors of the disposition of the charges. During the hearing the referee shall perform all duties normally performed by the presiding officer of the Board of Directors.

(7) *Record of Proceedings; Shorthand Reporter; Duty of Secretary to Preserve Board Records; Right of Accused to Copy.* The secretary shall preserve the original of said charges with a certificate of personal delivery or of mailing of a copy or copies thereof, as the case may be, the original notice of the time and place set for the hearing with a certificate of personal delivery or of mailing of a copy or copies thereof, as the case may be, and the original of the answer filed by any member accused if an answer be filed. At the hearing, the Board of Directors shall, at the expense of the society, employ a competent shorthand reporter to record and transcribe into typewriting testimony adduced on behalf of the accuser and the accused and all rulings made. The original charges with certificate of service thereof, the original notice of time and place for hearing with certificate of service thereof, the answer or answers, if any be filed, all documentary evidence introduced at the hearing, the typewritten transcript of the testimony and the written decision of the Board of Directors shall constitute the record of the entire proceedings. The Secretary shall, upon receipt from accused of a sum sufficient to defray the cost thereof, cause a copy or copies of such record to be transcribed, certified and furnished to the accused.

(8) *Decision of Board; When Must Be Written; Rules Governing Vote of Board.* The Board of Directors, after having given the accuser and the accused member full opportunity to be heard, shall conclude the hearing and shall render its decision in writing not more than thirty (30) days thereafter. Hearing shall include any oral arguments and the filing and consideration of any written briefs. The Board of Directors by a two-thirds affirmative vote of all the eligible members of the Board present and voting may exonerate or may censure, suspend or expel the accused member as the facts in its opinion may justify.

The decision of the Board of Directors may be expressed in resolution adopted by said vote. The decision may not contain an opinion and need only be

signed by the secretary or the acting secretary of the component society.

The failure of at least two-thirds of all the members of the Board of Directors present and voting to agree upon the disposition of the charges shall act automatically as a dismissal of the same. No member of the Board of Directors not present at the said hearings for the entire time thereof shall be entitled to vote with respect to the disposition of the charges.

(9) *Suspension; Maximum Period; Status of Suspended Member.* If the Board of Directors shall determine to suspend an accused member, the term of such suspension shall be within the discretion of the Board, provided that in no case shall a member be suspended for a period greater than one year. A suspended member shall have no rights or privileges in the society, provided that at the expiration of the period of suspension such suspended member shall not be reinstated to membership in good standing until he applies for reinstatement and pays all dues accrued during said period of suspension.

(10) (a) *Board's Decision; Secretary to Send Copies.* Within ten (10) days after the decision of the Board of Directors, the secretary of the society shall transmit a copy of the decision to the Board, to the accused member or members and to the Secretary of this Association.

(b) *Board's Decision Final; Subject to Appeal.* The action of the Board of Directors of a component society shall be final, subject only to appeal to the Council of the California Medical Association in such cases as are provided in these By-Laws.

The decision of the Board of Directors shall not become effective until the expiration of ten days after time during which an appeal may be taken to the Council of this Association. Filing an appeal with the Secretary of this Association shall automatically stay the execution of the decision of the Board of Directors of the component society until written notice of the action of the Council of this Association with respect to appeal has been received by the secretary of the component society from which the appeal was taken.

(c) *Technical Rules of Evidence Not to Govern Disciplinary Hearings.* All hearings with respect to the disposition of charges against a member of a component society shall be held and conducted in such manner as to ascertain all the facts fairly to the accuser and accused, eliminating all formal or technical rules and requirements which ordinarily pertain to judicial proceedings.

(d) *Members Agree That No Cause of Action Shall Accrue.* Any person so charged, censured, suspended, or expelled shall have no claim or cause of action against this Association, a component society or any member, director, councilor or officer, thereof by reason of such charges, or the hearing or the consideration thereof or censure, suspension or expulsion therefor.

(e) *Expelled Members; Right to Apply for Membership; When Accrues.* Any person whose membership has been involuntarily terminated in a component society by reason of violation of these By-

Laws may apply for membership after the expiration of one year from the date said membership was terminated, and such application shall be considered in the same manner as a new application for membership.

Section 5.—Procedure for Appeal to Council

A member of a component society censured, suspended or expelled by his county society may appeal from the action of such component society to the Council of this Association within the period of two months succeeding the date of such censure, suspension, or expulsion. Appeals shall be in writing and be filed within the said period of two months in the office of the Secretary of this Association. Said appeal shall be accompanied by a copy of the record of the entire proceedings before the component society duly certified by its secretary, provided the Chairman of the Council may, in his discretion, extend the time of the appellant to file said record. Upon the filing of an appeal the secretary shall present it to the first subsequent meeting of the Executive Committee or the Council. Appeals shall be heard by the Council only after reasonable notice of not less than ten (10) days in writing of the time and place of the hearing of the appeal has been given to the appellant member and the president and secretary of the component society as provided in Section 4 hereof.

Section 6.—Rules Governing Appeals

In hearing appeals, the Council shall review all questions of procedure, and may, in its discretion, review the evidence contained in the record of the original proceedings held before the Board of Directors of the component society. The Council may make findings of fact contrary to, or in addition to, those made by said Board of Directors. Such findings may be based on the evidence adduced before said Board of Directors, either with or without the taking of evidence by the Council. The Council shall use any lawful means which in its judgment will best and most fairly present all the facts involved. The Council may, for the purpose of making such findings or for other purpose in the interest of justice, take additional evidence of or concerning facts material to the questions involved, or may, for such purpose, appoint a committee of its members or any notary public to act as referees or referee for the taking of such additional evidence.

Such referee or referees shall render a report in writing to the Council, which report shall contain a clear statement of the facts found by the referee or referees from the testimony or evidence adduced.

The Council may affirm, reverse or modify the decision of the Board of Directors or make such other disposition of the proceedings as it may deem proper.

In every case of an appeal the individual councilors and the Council, through a committee thereof, prior to any hearing being held upon the appeal, shall exert all proper efforts at conciliation and compromise.

This Association may be represented by its attorney to advise the Council upon procedural questions only.

The decision of the Council shall be final and bind the appellant member and the component society.

Section 7.—Registration at Annual Sessions Necessary for Participation Therein

Each member in attendance at the Annual Session shall register, after his right to membership has been verified by reference to the records of this Association. No member shall take part in any of the proceedings of the Annual Session until he has complied with the provisions of this section of the By-Laws.

Section 8.—Component Society Secretaries to Furnish Date on Applications for Membership

The secretary of each component society, on forms or blanks supplied by this Association for that purpose, shall notify the Secretary-Treasurer of this Association in writing, as soon as possible, of each application for membership in such component society, with the name, address, and all other particulars regarding the applicant known to the secretary of such component society.

Section 9.—Component Society Membership

Lists to Be Sent to Secretary-Treasurer. It shall be the duty of the secretary of each component society to furnish the Secretary-Treasurer before the first day of March of each year a list of names and addresses of all members in good standing on the first day of January of each year, and to notify in writing the Secretary-Treasurer of this Association monthly of all changes in membership of the component society, with corresponding changes of address.

Section 10.—Membership Where No Component Society Exists

Any Doctor of Medicine residing in an area in which there is no component society may apply for membership in the component society most convenient to the area in which he practices medicine, and if otherwise qualified he may be elected to membership therein.

Section 11.—Membership Where Major Office and Residence Are in Different Component Society Areas

A Doctor of Medicine may apply for membership only to that component society whose charter covers the area in which his major office for professional practice is located.

Section 12.—Membership as Affected by Transfer of Location of Office

A member who changes his office from the county through whose component county society he holds membership in this Association, to another county in which there is a component society, is eligible to membership in the component society of his new location on the presentation of a transfer card, and satisfactory evidence that his dues have been paid in full in the component society in which he holds membership; provided, however, that no evidence which would disqualify him for membership exists. He shall forfeit his membership in this Association

one year after such change of location of practice unless after proper application he is elected to membership in the society of the county to which he has moved.

Any member who has heretofore changed his location of practice as aforesaid shall have one year after the date of adoption hereof to comply with the provisions of this section.

Section 13.—Transfer Cards

When a member in good standing in a component society moves to another county or other jurisdiction in this State he shall, on request, be given a transfer card, without cost. He must assume such financial obligations as shall be deemed proper by the component society to which he is transferred, and to which he makes application for membership by transfer.

CHAPTER III.—HOUSE OF DELEGATES

Section 1.—Functions of the House of Delegates

(a) In addition to its legislative functions, the House of Delegates shall fix the annual dues to be paid by members, levy assessments, raise funds, act on budgets submitted by the Council and approve any expenditures for special purposes in excess of a contingency fund.

(b) It shall elect the Speaker and Vice-Speaker of the House of Delegates at the regular session. Nominations for these offices shall be made by delegates from the floor.

(c) It shall nominate and elect the President-elect and such other officers as are provided herein or in the By-Laws.

(d) It shall nominate and elect Delegates to the House of Delegates of the American Medical Association in conformity with the Constitution and By-Laws of the latter.

Section 2.—Secretaries of Component Societies to Furnish Lists of Delegates and Alternates

Not later than forty-five days prior to the next scheduled session the Secretary of each component society shall forward to the Secretary-Treasurer of the Association on blanks previously provided, by the Association, the names and addresses of the delegates and alternates elected by the respective component societies and shall certify thereon the dates of election and expiration of terms of service of each delegate and alternate. The Secretary of each component society shall also designate in such list of delegates and alternates the order of priority amongst alternates to be followed by the House of Delegates in seating alternates in lieu of delegates from such component society.

Failure to conform to this provision shall constitute grounds for disqualification of the delegation in default for the scheduled session, at the discretion of the House of Delegates.

Section 3.—Representation

Each component society shall be entitled to one delegate for every one hundred (100) active mem-

bers, or fraction thereof, as of the first day of the preceding November.

Section 4.—Limitations on Seating of Delegates

Only duly elected delegates or alternates may be seated at any session of the House of Delegates unless the Secretary of the Association has been given due notice of substitution at least fifteen (15) days in advance of the session.

Section 5.—Disqualification of Delegates or Alternates for Absence From a Session

Any delegate absent without good cause from two or more consecutive meetings of the House of Delegates, and who has failed to give fifteen days' notice to the Secretary of the Association of his inability to be present, shall thereupon be disqualified as a delegate and, in addition, ineligible for re-election as a delegate or alternate for three years immediately succeeding the expiration of his term; except that the Committee on Credentials may excuse absence on presentation of good cause therefor. If the component society has not designated the alternate to replace an absent delegate, the Committee on Credentials may determine the order of seating alternates from such component society.

Section 6.—Notification of Delegates

The Secretary of each component society promptly shall notify in writing each delegate and alternate immediately after his election to such office, and shall expressly direct each delegate's and alternate's attention to the provisions of Section 5 above.

Section 7.—Qualifications of Delegates and Alternates

(a) At least three (3) years' active membership in good standing in the component society immediately preceding election shall be required for election as delegate or alternate.

(b) Only duly elected delegates, or properly qualified alternates, may be seated with the right to vote.

(c) Officers of the Association who by virtue of their offices shall be delegates may be seated but shall have no right to vote.

Section 8.—Sessions and Meetings

(a) In each year there shall be one regular session of the House of Delegates; the time and place of such regular session to be determined by the Council as far as possible in advance and notice thereof published in the Journal of the Association. There shall be at least two meetings of the House of Delegates at each regular session, with one day intervening between the first and second meetings; at its second meeting the House of Delegates may decide upon a third meeting of such session and elect to recess to any place in California and time (not more than six months later) desired.

(b) In addition to regular sessions, special meetings of the House of Delegates may be called at any regular or special meeting of the Council, by a two-thirds vote of all the members of the Council, or by written call stating the object of the meeting, filed

with the Secretary in the office of the Association and signed by one-half or more of the members of the House of Delegates. Upon the filing of such call with the Secretary, the Council shall within thirty (30) days thereafter fix the time and place for the holding of such special meeting and cause written notice thereof stating the object of the meeting to be sent by United States mail, postage fully prepaid, to each member of the House of Delegates, addressed to him at his office or place of residence, as shown by the records of the Secretary's office, at least fifteen (15) days prior to the date of meeting.

(c) Officers of the Association shall be elected at the regular session.

(d) It is the policy of the Association that all resolutions shall be submitted to the secretary at least 30 days in advance of each regular session and be published to the delegates as soon as possible; however, all resolutions presented before or during any session shall be referred to the proper Committee on Resolutions for consideration and recommendation.

(e) Action on resolutions may be taken at the second or third meeting of any session. The House of Delegates may refer to the proper committee for further study any resolution, in which event the committee shall make available to each delegate and alternate copies of said resolution and the recommendations of the committee, through the office of the Association, at least thirty (30) days in advance of the date of the next meeting at which action on said resolution is to be taken.

Section 9.—Budget

The House of Delegates shall act on an annual budget submitted to it by the Council and shall approve such budget either as submitted or revised by the Council or the House of Delegates.

Section 10.—Division of Scientific Work

The House of Delegates, either upon recommendation of the Council or on its own initiative, shall provide for division of the scientific work of the Association among appropriate sections and assemblies.

Section 11.—House of Delegates Committee

Prior to or at the commencement of each regular session the Speaker of the House shall appoint from the members thereof the following committees:

1. A Committee on Credentials,
2. A Reference Committee on Finance,
3. A Reference Committee on the reports of Officers, Council, Standing and Special Committees, and
4. Two or more Reference Committees on resolutions, amendments to the Constitution and By-Laws, and new and miscellaneous business (the Speaker may allocate amongst these committees all business properly referable to them).

Section 12.—Membership of Credentials and Reference Committee

Each of the aforesaid committees shall consist of three members, the chairman of each to be designated by the Speaker.

The Speaker, the House concurring, shall refer said reports, resolutions, and business to the respective Reference Committees, but may allocate among them any of said reports, resolutions or portions thereof, and other business, to avoid duplication and to expedite the business of the House of Delegates.

Each Reference Committee shall prepare a written report dealing with and making recommendations on all matters submitted to it. In those instances in which resolutions or other matters remain before a Reference Committee between meetings of the House of Delegates, copies of such resolutions or other matters and the recommendations of the committee thereon shall be mailed or delivered by the Secretary to each elected Delegate and Alternate at least thirty days (or if less than thirty days intervenes between meetings, as early as possible) prior to the meeting of the House of Delegates at which such resolutions or other matters and recommendations concerning them are to be considered. The report of each committee may be acted upon as a whole or section by section, as the House may determine.

Section 13.—Special Committees of House of Delegates

The Speaker, the House of Delegates concurring, shall have the right to appoint special committees for special work. All committees of the House of Delegates shall present their reports to the House of Delegates in writing.

Section 14.—Duties of Credentials Committee

The Secretary of the Association shall supply the Committee on Credentials with the necessary information concerning the membership of the House of Delegates.

The Secretary shall give this committee a list of component societies, showing the total membership as of November 1 of the preceding year. This committee shall ask each delegate and alternate to present his written credentials, but shall accept the official written list submitted by the secretary of any component society; provided that such written list be sent to the Secretary of the Association at least fifteen days before the beginning of the annual session.

The Committee shall make a written report to the House of Delegates of the delegates and alternates entitled to membership therein.

Section 15.—Delegates to the American Medical Association

The House of Delegates shall elect delegates and alternates to the House of Delegates of the American Medical Association in accordance with the Constitution and By-Laws of that organization.

Section 16.—Special Committees Appointed by House of Delegates

The House of Delegates shall have authority to appoint committees for special purposes from among members of the Association who may or may not be members of the House of Delegates. Such committees shall report in writing to the House of Delegates;

and the members, the House concurring, may participate in the debate on their reports.

Section 17.—Approval of Memorials

The House of Delegates shall approve all memorials and resolutions issued in the name of the Association during an annual session before they shall become effective.

CHAPTER IV.—COUNCIL

Section 1.—Auditing Committee of Council

The Chairman of the Council, subject to its approval, shall appoint an auditing committee of three members, designating one of the members as its chairman.

The Auditing Committee shall inspect all bills and claims against the Association, and no bill or claim shall be paid except upon voucher or draft having the approval of at least two of the three members of the Auditing Committee; provided, however, that any bill or claim may be paid without the approval of any member of the Auditing Committee by a majority vote or written approval of a majority of all the members of the Executive Committee.

Section 2.—Executive Committee of Council

The Executive Committee shall consist of the President, President-Elect, Chairman of the Council, Chairman of the Auditing Committee, and one other member of the Council (elected by the Council at its organization meeting each year). The Secretary-Treasurer and Editor shall be members ex officio, but without the right to vote. The organization, duties and powers of the Executive Committee shall be as provided in the By-Laws.

Section 3.—Council: Organization

At the first meeting of the Council held after the adjournment of the last meeting of the House of Delegates at the regular annual session of the Association, the Council shall organize by the election of one of the Councilors as Chairman of the Council, who shall serve as such up to the first Council meeting held after the adjournment of the last meeting of the House of Delegates of the next succeeding regular annual session of the Association; and a Vice-Chairman who shall hold office for the same term, and who, in the absence of the Chairman, shall perform the duties of the Chairman. The Secretary-Treasurer of the Association shall serve as the secretary of the Council.

Section 4.—Duties of District Councilors

Each District Councilor shall be organizer, peacemaker and censor for his district.

(a) *Visitation of Component Societies; and Report Thereon.* He shall visit each county in his district at least once a year for the purpose of organizing component societies where none exist, of inquiring into the condition of the profession, and of maintaining touch with the activities of the component societies of his district. He shall in writing make an annual report of this work and of the condition of the profession of each county in his district to the Council.

cil, which shall take such action thereon as it may deem best.

(b) *Expenses of Councilors and Officers.* Councilors and officers shall be allowed railroad fare or mileage not exceeding 5 cents a mile, plus an allowance for maintenance expense of ten dollars a day, while absent from their places of residence; (a) in attending association, district or county society meetings; (b) meetings of committees of the Association; (c) authorized councilor or officer visits to county societies; (d) and otherwise when on official business, authorized or approved by the Council.

Section 5.—Mail Ballot

The Chairman of the Council, at any time, may direct the Secretary to submit any urgent matter or question to the members of the Council by mail ballot, the question or proposition being prepared through conference of the Secretary with the Chairman of the Council and the Chairman of the Executive Committee; and the vote of two-thirds of the members upon such question by mail or telegraph shall be binding upon the Council.

Section 6.—Registry

The Secretary-Treasurer, in writing, shall request each Councilor to register his address where he desires all notices to be sent to him by mail or telegram.

Section 7.—Order of Business

At meetings of the Council, business shall be transacted as the Council may determine from time to time by resolution.

The Council shall provide and fix the order of business of the first two meetings of the House of Delegates at each regular annual session, provided that the House of Delegates may change the order of business by a majority vote.

Section 8.—Preparation of Budget; Annual Assessment

The Auditing Committee, prior to December 1 of any year, shall submit to the Executive Committee, for consideration at its December meeting, a budget under which the Association shall work in the fiscal year following the next annual session.

The Executive Committee, after consideration of the Auditing Committee's proposed budget, shall submit the same to the Council, prior to the spring meeting of the Council, with a report of its own containing suggested changes, additions, or comments.

The Council in turn shall consider the two proposed budgets so submitted, and shall then make a final draft of a proposed budget for the Association, to be submitted to the House of Delegates at the next annual session.

The Council shall recommend to the House of Delegates the amount of the annual dues or assessments of each member of the Association.

Section 9.—Committee on Arrangements for Annual Meeting

(a) *Appointment and Duties.* The Chairman of the Council, subject to the approval of the Council,

shall, at least six months before the regular annual session, appoint a Committee on Arrangements for the annual session, one member thereof being designated as the general chairman. This committee shall consist of five members, at least three of whom shall be members of the component society of the county in which the annual session is to be held.

The Secretary-Treasurer of the Association shall be ex officio a member of this committee.

This committee shall have charge of all local arrangements not otherwise provided for.

The terms of office of members of this committee shall expire when the succeeding committee on arrangements is appointed.

As the local Committee on Arrangements this committee shall provide suitable meeting places and shall have general charge of all local arrangements. The committee shall have power to appoint local advisory members and subcommittees to aid in its work.

(b) *Commercial Exhibit.* The Council shall decide what portion of the income from commercial exhibits or other convention services shall go to the local Committee on Arrangements. The location and rules for the commercial exhibits and other accessory annual session activities shall be subject to the approval of the Council.

(c) *Local Convention Expenses.* The Council shall decide what portion of the local expenses shall be borne by the Association.

(d) *Report on Committee on Arrangements.* The Committee on Arrangements shall, as soon as possible and not later than two months after the adjournment of the final meeting of the regular annual session, make and file with the Secretary-Treasurer of the Association an itemized, detailed report of all of its receipts and disbursements, and shall remit any moneys due the Association remaining in its possession, to the Secretary-Treasurer.

Section 10.—Offices

The Council shall provide and secure such offices for the Association as may be required to conduct its activities and business properly.

Section 11.—Executive or Field Secretaries or Representatives

The Council may employ one or more Executive or Field Secretaries or Representatives, who need not be physicians nor members of the Association. The duties of such a representative or representatives, if appointed, shall be determined by the Council by resolution.

Section 12.—Legal Counsel

The Council at its annual organization meeting shall appoint one or more legal advisors, giving each such title as may be deemed proper. It shall fix the amount of retainer and other fees. By resolution it shall indicate what duties shall be assigned to each advisor. The Council shall appoint such attorneys-at-law licensed in California at its annual organization meeting.

The Council shall have the right to request the attendance of Counsel of the Association at any meetings at which it might desire his presence and advice, and at such meetings he shall call the attention of the Council to matters in which the legal aspects may be of importance, and shall give such other opinions in special matters as may be requested of him by the Council.

The General Counsel shall present in writing as promptly as the same may be properly prepared, such legal opinions as may be requested by the House of Delegates, the Council or the Executive Committee.

CHAPTER V.—COMMITTEES

Section 1.—Standing Committees

The standing committees of this Association shall be as follows:

- (a) Scientific Work
- (b) Public Policy and Legislation
- (c) Medical Defense
- (d) Medical Education and Medical Institutions
- (e) Hospitals, Dispensaries, and Clinics
- (f) Medical Economics
- (g) Associated Societies and Technical Groups
- (h) History and Obituaries
- (i) Industrial Practice
- (j) Postgraduate Activities
- (k) Public Relations
- (l) The Reference Committees of the House of Delegates

until final adjournment of each regular session.

Section 2.—Standing Committees; How Elected; Term of Office

Unless otherwise provided in these By-Laws, each of the standing committees (except House of Delegates Reference Committees) shall consist of one member of the Council and two other members. Members of standing committees (other than House of Delegates Reference Committees) shall serve for a term of three (3) years. One member of each of these committees shall be nominated annually by the Council and if approved by the House of Delegates shall be deemed elected.

Section 3.—Report Procedure for All Committees

Regular standing and special committees of the Association may make investigations and surveys on authorization of the Council or House of Delegates, but all recommendations and reports of all committees (unless expressly otherwise provided in the Constitution or By-Laws) must be submitted only to the Council or House of Delegates. Other than as herein stated no committee is authorized to act for or represent this Association.

Section 4.—Advisory Groups to Standing Committees

To aid it in its work, each committee, if it so desires, shall have the power to appoint an Advisory Group to its committee, consisting of from two to ten members. Such advisory members, if present at a regular committee meeting, shall not have the right to vote.

Section 5.—Officers of Standing Committees

The chairman of each of these committees, except the Committee on Public Relations, shall be nominated and elected annually by the Council, by and with the approval of the House of Delegates. The chairman of the Committee on Public Relations shall be elected by said committee, subject to the approval and confirmation of the Council, and in the event of a failure to elect within sixty days after adjournment of the annual session the Council shall elect said chairman. Each of these committees shall, each year, except as otherwise provided in these By-Laws, at its first meeting or official consultation, during or following the annual session elect its own secretary.

Section 6.—Secretary-Treasurer's Notice to Standing Committees

The Secretary-Treasurer of the Association, within one month after the annual session, shall write the Committee Chairman of the preceding year, to call a meeting for organization and consideration of any business. The Secretary shall also send a copy of this letter to each of the other members of the committee.

Section 7.—Annual Reports of Standing Committees

At least sixty days prior to the annual session, each of these committees shall submit a written report to the Council on its work during the preceding year, the same to be printed in the Pre-Convention Bulletin as otherwise provided.

Section 8.—Committee on Scientific Work

The Committee on Scientific Work shall consist of the Secretary-Treasurer, the secretaries of the sections on general surgery and general medicine and three other members to be elected by the Council, each of these three members to serve three years, one member being elected each year. The Secretary-Treasurer shall be chairman.

This committee shall determine the character and scope of the scientific proceedings of the Association for each session, and shall invite the guest speakers, subject to the instructions of the Council.

At least thirty days previous to each annual session it shall prepare and issue a program announcing the order in which papers and discussions shall be presented.

This committee shall have one joint session with the section secretaries, at a time and place to be designated by the chairman of the committee, at least forty-five days prior to the annual session, to coordinate more efficiently the various activities of the Association at its annual session. The chairman of the local committee on arrangements shall be invited to attend this meeting.

Section 9.—Committee on Public Policy and Legislation

The Committee on Public Policy and Legislation shall consist of three elected members, and ex officio, the President and President-Elect.

The chairman of the committee, and in his absence, the President, shall act as chairman at the joint

meetings of this central state group and of auxiliary county groups.

(a) *Functions of the Committee.* The Committee on Public Policy and Legislation and its auxiliary county groups shall represent the Association in securing and enforcing legislation in the interest of public health and of scientific medicine, subject, however, to the approval of the Council.

(b) *County Auxiliary Committees on Public Policy and Legislation.* Each component society shall appoint or elect three of its members as members of its auxiliary Committee on Public Policy and Legislation, designating one member as chairman; and the component society secretary shall send promptly the names and addresses to the Secretary of this Association.

(c) *Work of Auxiliary County Committees.* The Committee on Public Policy and Legislation of this Association, with the sanction of the Council, shall formulate the duties of these county auxiliary committees and supply each member with a copy of its suggestions and instructions. The auxiliary committeemen shall be accountable to their component societies and to the Council of this Association for prompt and continued cooperation with the Committee on Public Policy and Legislation of this Association.

Section 10.—Committee on Medical Defense

The Committee on Medical Defense, subject to the approval of the Council, shall prepare plans and establish rules for the protection of the legal rights of members of this Association against whom suits for alleged negligence have been threatened or brought.

It may assist in the defense of any member sued for alleged negligence if the member was in good standing and had complied with the rules of the Council when the service on account of which suit was threatened or brought was rendered—provided that the committee determines that the position of the member merits such action.

Section 11.—Committee on Medical Education and Medical Institutions

The Committee on Medical Education and Medical Institutions shall serve in this State for the Council on Medical Education of the American Medical Association.

It shall keep in touch with the problems pertaining to medical education and to medical and other institutions of training for medicine and the healing art.

Section 12.—Committee on Hospitals, Dispensaries and Clinics

The Committee on Hospitals, Dispensaries and Clinics shall serve in this State for the Council on Hospitals of the American Medical Association.

It shall keep in touch with the problems arising in the fields of work of all types of hospitals, dispensaries and clinics giving special attention to those activities that are, or tend to become, a menace to the best interests of scientific medicine and of the profession and its members.

Section 13.—Committee on Medical Economics

The Committee on Medical Economics shall investigate matters affecting the economic status of doctors of medicine.

Section 14.—Committee on Associated Societies and Technical Groups

The Committee on Associated Societies and Technical Groups, subject to the instructions of the Council, shall endeavor to create proper liaisons between this Association and other state and national medical organizations, as well as with the organizations of related professions, such as dentistry, pharmacy and nursing. It shall also endeavor to bring about a proper understanding with non-medical organizations or groups of technicians and others whose work has a bearing on or is related to the practice of medicine.

Section 15.—Committee on History and Obituaries

The Committee on History and Obituaries shall compile and prepare for the archives and for the publications of the society suitable articles on the history of the Association and statements concerning deceased members. The Editor and the Secretary shall be members of this committee, ex officio.

Section 16.—Committee on Industrial Practice

The Committee on Industrial Practice shall keep in touch with matters and problems peculiarly connected with industrial practice.

Section 17.—Committee on Postgraduate Activities

The Committee on Postgraduate Activities, of which the Secretary-Treasurer shall be an ex officio member, shall use its best efforts to promote the postgraduate and clinical courses and instruction among the component county units of the Association.

The supervision of such postgraduate and clinical courses and instruction shall be carried on through the central offices of the Association, the Council being empowered to defray travel expenses of guest speakers and other costs incident to such work to such amount as in the judgment of the Council may be deemed proper. In the development of such postgraduate and clinical courses and instruction, it is stipulated that the component societies, through their constituted representatives, shall cooperate with the Standing Committee on Postgraduate Activities and shall also arrange to bear a proper proportion of the expense thereof of such amount as may be mutually agreed upon.

Section 18.—Committee on Public Relations

The Committee on Public Relations shall consist of the chairmen of the following committees: Public Policy and Legislation, Medical Economics, Associated Societies and Technical Groups, and the President and President-Elect.

The committee shall be responsible to the Council and the House of Delegates for all of its activities.

The Council or the Executive Committee may instruct the Committee on Public Relations, and outline to it certain policies and duties which shall be executed through the Director of Public Relations. In the event of any disagreement between the committee and the Council or the Executive Committee as to any activity or policy, the decision of the Council, after full discussion and hearing, shall be final.

The committee shall make recommendations to the Council for approval as to the time, the place, the number of meetings and the budget of the Department of Public Relations, provided that the Secretary shall call the first meeting of the committee within thirty (30) days following the annual meeting of the Association.

The Director of Public Relations shall be appointed by the Council (after consultation with the Committee on Public Relations) annually at the organization meeting of the Council. He shall serve at the pleasure of the Council and the Committee. He shall act under the supervision and instruction of the chairman of the committee in such matters as shall be approved and sanctioned by the committee, and be responsible to the committee.

The Council shall arrange with the general counsel to give the committee all legal aid.

The committee shall annually at its first meeting elect its own chairman, subject to the approval and confirmation of the Council. The Secretary of the Association shall be ex officio secretary. A majority of the committee shall constitute a quorum.

Section 19.—Department of Public Relations

The Department of Public Relations shall consist of the following component standing and special committees of the Association, viz: The Committee on Public Policy and Legislation; the Committee on Medical Economics; the Committee on Hospitals, Dispensaries and Clinics; the Committee on Health and Public Instruction; the Committee on Membership and Organization; the Committee on Industrial Practice; the Committee on Postgraduate Activities; the Committee on Medical Defense and the Cancer Commission.

Section 20.—Publication of Committee Reports in Pre-Convention Bulletin

Reports of the standing and special committees, as approved, deleted or modified by the Council, shall be published in a pre-convention bulletin or in the official journal of the month preceding the date of the annual session of the Association. Such reports must be in the hands of the Secretary-Treasurer at least sixty days in advance of the annual session.

If a committee fails to send in its report in proper time, the name of the committee and the names of its members shall be printed as above indicated, with a statement that the committee failed to send in its report, and the Council, subject to the approval of the House of Delegates, shall be empowered under such conditions to make such changes in the personnel of the committee as in its judgment may be deemed best.

Section 21.—Additional Committees

The House of Delegates and the Council are authorized and empowered to appoint special committees, with special instructions as to work to be undertaken, whenever it is deemed impractical or improper for the contemplated duties to be performed by a standing committee.

Section 22.—Physicians' Benevolence Committee

The Physicians' Benevolence Committee shall consist of three (3) members whose appointments and terms of office shall be as provided in Section 2 of this Chapter.

The Committee shall be responsible to the Council and the House of Delegates for all of its activities.

The committee shall administer those funds, of this Association, hereinafter designated as comprising the Physicians' Benevolence Fund.

The committee's administration of said fund shall be subject to the provisions of this section.

(a) The funds which may from time to time be allocated to it, from the general funds of the Association, by the Council, are the funds for this committee.

(b) All bequests, voluntary contributions, and donations, from any source whatever, that may be received by this Association for the express and implied purpose of aiding needy members, and

(c) All other funds from whatever source derived, except Accounts Receivable, payments for indebtedness to this Association, Dues and Assessments received by this Association, which the payer, donor, or other person transferring the funds, expresses the intent that such funds shall be for aid to needy members.

Funds contained in the Physicians' Benevolence Fund may from time to time be disbursed by the Physicians' Benevolence Committee.

CHAPTER VI.—POWERS AND DUTIES OF OFFICERS

Section 1.—Duties of the President

The President shall preside at all meetings of the Association.

He shall appoint all committees not otherwise provided for; he shall deliver an address at the annual session at such time as may be arranged, and shall perform such other duties as custom and parliamentary usage may require, or as the House of Delegates or the Council may direct.

He shall be the real head of the profession of the State during his term of office, and, as far as practicable, shall visit, by appointment, the various sections of the State and assist the Councilors in building up the component societies, and in making their work more practical and useful. The Council shall decide what portion of the expenses incurred on his official visits shall be paid by the Association.

He shall be ex officio a member of all committees of the Association.

Section 2.—Vacancy in Offices of President and President-Elect; How Filled

In case of vacancy in the offices of both President and President-Elect, the chairman of the Council shall act as the Acting President until a President is elected at the next annual session of the House of Delegates.

Section 3.—Duties of the Secretary-Treasurer, Executive Secretary and Field Representatives

The duties of the Executive Secretary and Field Representatives may be such as are delegated to them by the Council of the California Medical Association, and may be any and all duties as are specified under the various provisions of this section.

(a) *Minutes.* The Secretary-Treasurer (who may also be referred to as Secretary or Treasurer) shall attend the General Meetings of the Association, the meetings of the House of Delegates, of the Council and of the Executive Committee, and shall keep minutes of their respective proceedings in separate record books.

(b) *Custodian of Records.* He shall be custodian of all record books and papers belonging to the Association. He shall have the custody of the seal of the Association.

(c) *Contracts.* He shall countersign all contracts, agreements, conveyances, transfers or other instruments to which the Association is a party, the execution of which has been authorized by the House of Delegates or Council.

(d) *Checks.* The Secretary-Treasurer shall sign and issue checks or drafts only upon vouchers approved and signed by at least two of the members of the Auditing Committee or as otherwise provided.

(e) *Advertisements in Association Publications.* The Secretary-Treasurer, subject to instructions by the Council, shall carefully examine, approve, modify or reject all material for advertising in any of the publications of the Association, and shall, in all cases of doubt, refer such proposed advertisements to the Executive Committee or the Council for decision. He shall, with the approval of the Council or the Executive Committee, execute, for the Association, written contracts relating to advertising in the form approved by the Council, subject to instructions by the Council.

(f) *Registrar at Annual Sessions.* He shall provide for the registration of the members and delegates at the Annual Session.

(g) *Index Register of California Medical Licentiate.* He shall, with the cooperation of the secretaries of the component societies, keep a card-index register of all the licensed practitioners of the State by counties, noting the status of each in relation to his component society; and shall transmit a copy of this list to the American Medical Association, transmitting to its secretary each month a report containing the names of new members and the names of those dropped from the membership roster during the preceding month.

(h) *Register of Component Societies, Their Members and Officers.* He shall keep a register of all com-

ponent societies, their respective officers, and of all members of the Association, with their addresses, and shall compile an annual directory of the same. He shall print in the January or February issue of the official journal the number of active members of each component society as of November 1st of the preceding year.

(i) *Notices.* He shall give all notices required by the Constitution and By-Laws of this Association, or by order of the Council, or of the Executive Committee, or by law.

(j) *Correspondence and Notifications to Committees.* He shall conduct the official correspondence, promptly notifying members of meetings, officers of their election, and committees of their appointment and duties, as outlined in the motions creating such committees. Such notifications shall be made in writing.

(k) *Assistants.* He shall employ and dispense with such assistants as may be ordered by the Council. The Council by resolution may outline the scope and duties of special employees acting under the Secretary-Treasurer.

(l) *Annual and Other Report Forms.* He shall supply all component societies with the necessary forms for making their annual and other reports to this Association.

(m) *Salary.* The amount of his salary shall be fixed by the Council.

(n) *Bond.* He shall give bond in such sum as may be fixed by the Council. The Association shall pay the premium on the said bond.

(o) *Duties as Treasurer.* He shall as Treasurer demand and receive all funds due the Association, together with bequests and donations, and shall promptly deposit the same in one of the depositories thereof; and shall keep a proper and accurate record thereof, as well as of all funds disbursed by the Association.

(p) *Audits and Reports.* He shall subject his accounts to such examination or audit as the House of Delegates or Council may order.

He shall annually render an account of his work, and of the state of the funds in his hands, and make a report on the same and of his work as Secretary-Treasurer to the House of Delegates. He shall in writing also make such other reports as the House of Delegates or Council may request.

(q) *Disbursement of Association Moneys.* He shall pay out the money of the Association only upon a check or draft as otherwise provided herein.

(r) *Other Duties.* He shall perform such other duties as the Council or Executive Committee may direct.

Section 4.—Duties and Powers of the Chairman of the Council

The Chairman of the Council shall preside at all meetings of the Council. He shall sign all contracts and agreements, conveyances, transfers or other instruments (other than advertising contracts) to which the Association is a party, the execution of

which has been authorized by the House of Delegates or the Council. He shall sign all checks or drafts for the disbursement of funds of the Association. He shall, on behalf of the Council, deliver its annual report to the House of Delegates. He shall perform such other duties as may be imposed upon him by the Constitution or these By-Laws.

Section 5.—Duties of Vice-Chairman of the Council

The Vice-Chairman of the Council, in the absence or inability of the Chairman to act, shall be vested with all the powers and shall perform all the duties of the Chairman.

Section 6.—Duties and Powers of the Speaker

The Speaker of the House of Delegates shall preside at its meetings and shall perform such other duties as parliamentary usage may require. He shall appoint all committees authorized by the House of Delegates, unless otherwise provided. He shall be ex officio a member of the Council.

Section 7.—Duties of Vice-Speaker

The Vice-Speaker shall act as Speaker in the absence of or at the request of the Speaker.

Section 8.—Duties of the Editor

The Editor and Associate Editor or Editors shall compile, edit and have charge of the official journal of the Association and such other publications as the Council or the House of Delegates may instruct him to undertake.

CHAPTER VII.—SESSIONS AND MEETINGS

Section 1.—Addresses at Annual Session

At the General Meetings, at such times as may have been arranged, shall be delivered the annual address of the President and, with the sanction of the Council, such other addresses and reports as may be deemed desirable.

Section 2.—Time Length of Papers

No address or paper, except that of the President, and such other addresses and reports as may be deemed desirable by the Council, shall occupy more than twenty minutes in delivery.

Section 3.—Time Length of Discussions

No member, except by unanimous consent, shall speak more than once in the discussion of any paper nor longer than five minutes at any one time.

This by-law shall be printed on all programs of general and section meetings.

Section 4.—Scientific Papers Property of Association

All papers read before this Association shall be its property.

Each paper, when it has been read, shall be deposited with the secretary of the section, by him to be promptly turned over to the Secretary of the Association.

Section 5.—Scientific Papers Not to Be Published Elsewhere

Authors of papers read before this Association shall not cause them to be published elsewhere except with the consent of the Committee on Publications.

Section 6.—All Meetings of Same Session Shall Be in Same Locality

The general meetings of the Association, the meetings of the House of Delegates, and the meetings of the Scientific Assembly and its sections at any session shall be held in the State of California at the same locality and in buildings as convenient of access, one to the other, as may be possible.

CHAPTER VIII.—ELECTION OF OFFICERS: TERMS

Section 1.—President-Elect—When and How Elected: Term of Office

The House of Delegates at the regular annual session thereof shall elect the President-Elect to serve until the adjournment of the final meeting of the House of Delegates at its next regular annual session. At the conclusion of the final meeting of the House of Delegates at its next regular annual session, such President-Elect shall assume the office of President, and serve as such for the term of one year thereafter, or until his successor assumes office.

Section 2.—Speaker and Vice-Speaker of House—When Elected: Term of Office

The House of Delegates shall at the regular annual session thereof elect a Speaker of the House of Delegates and a Vice-Speaker of the House of Delegates, each to serve for the term of one year, or until their successors are elected and assume office. The Speaker and Vice-Speaker shall be members of the House of Delegates at the time of their election.

Section 3.—Councilors to Be Elected in Different Years

Five Councilors shall be elected each year.

Section 4.—Council Appointments to Fill Vacancies in Office

The Council by appointment shall fill any vacancy in office not otherwise provided for in this Constitution or the By-Laws, which occurs during the interval between the annual sessions of the House of Delegates. Such appointee shall serve until the next annual session or until his successor has been elected and has assumed office.

Section 5.—Officers Elected by House of Delegates

Those officers who under the Constitution are elected by the House of Delegates shall be elected at the second meeting of the House at the regular annual session thereof.

Section 6.—Election of District Councilors

At least twenty-four hours prior to the second meeting at each regular session of the House of Delegates the delegates from those districts in which Councilor vacancies are about to occur shall sepa-

rately meet, and in each district the delegates shall elect a chairman and a secretary. At such caucus the delegates in each district shall by nomination, secret ballot and majority vote of the delegates present elect a district Councilor from such district to serve for the ensuing term. The chairman of the district delegation shall then report at the second meeting of the House of Delegates the results of the election, and when such report is made the member elected shall thereupon assume office as a district Councilor. The time and place of the caucus of each district delegation shall, in the absence of unanimous written consent by the delegates from the district fixing time and place, be fixed by the Speaker and announced at the first meeting of the House of Delegates at each regular session. In the event that at any district caucus no person receives a majority vote for district Councilor, the chairman of the caucus shall report such fact at the second meeting of the House of Delegates and shall also report the names of all nominees submitted to the caucus, whereupon the House of Delegates shall proceed to elect from such nominees the district Councilor from such district.

Section 7.—Election of Chairman and Vice-Chairman of Council; Employment of Secretary-Treasurer, Assistant Secretaries, Editor and Associate Editors

The Council, at the organization meeting thereof, shall elect a Chairman and a Vice-Chairman, each to serve for the term of one year. It shall also employ a Secretary-Treasurer and an Editor, and, in its discretion, one or more Assistant Secretaries or Associate Editors. The terms of their employment shall be such as are satisfactory to the Council, provided, however, that no contract of employment shall, by its terms, exceed a period of three (3) years from the date of the organization meeting at which such contract is authorized.

Section 8.—Qualifications of Secretary-Treasurer and Editor

No person shall be eligible to the office of Secretary-Treasurer or Editor or Associate Editor who does not hold the degree of Doctor of Medicine, but membership in this Association shall not be a necessary qualification for the offices of Secretary-Treasurer, Editor or Associate Editor.

Section 9.—Election by Ballot; Number of Votes Necessary

All elections of officers shall be by ballot; provided, that by a two-thirds vote of the members present and acting election by ballot may be waived.

A majority of the votes cast shall be necessary to elect any officer, except delegates and alternates to the American Medical Association.

In case no nominee receives a majority of the votes on the first ballot, the nominee receiving the lowest number of votes shall be dropped and a new ballot taken. This procedure shall be continued until one of the nominees receives a majority of all the votes cast, when he shall be declared elected.

Section 10.—Election of Delegates and Alternates to A.M.A.

In case no nominee for delegate or alternate to the House of Delegates of the American Medical Association receives a majority of the votes cast on the first ballot, the nominee receiving the highest number of votes cast shall be declared elected. In case of a tie vote, the tie shall be determined by lot. A separate election shall be held to fill each vacancy, and an alternate shall be specifically elected for each delegate.

Section 11.—When Terms of Office of Speaker, Vice-Speaker and Councilors Begin

The terms of office of the Speaker and Vice-Speaker of the House of Delegates (which terms are herein generally stated to be one year) and the terms of office of the Councilors (which terms are herein generally stated to be three years) shall commence immediately upon the adjournment of the last meeting of the House of Delegates of the regular annual session of the Association at which such officers are elected, and shall continue up to the adjournment of the last meeting of the House of Delegates at the annual session of the Association of the year in which the term of office ends.

Section 12.—Officers to Hold Office Until Successors Are Elected and Assume Office

Every officer shall hold office until his successor has been elected and has assumed office either in person or by announcement.

CHAPTER IX.—SCIENTIFIC SECTIONS

Section 1.

(a) *Division of Scientific Work.* The scientific work of the Association shall be divided into scientific sections, as follows: General Medicine; General Surgery; Pediatrics; Eye, Ear, Nose and Throat; Urology; Anesthesiology; Obstetrics and Gynecology; Radiology; Industrial Medicine and Surgery; Pathology and Bacteriology; Dermatology and Syphilology; Neuropsychiatry; General Practice; Public Health; and Allergy.

(b) *Additional Scientific Sections; How Authorized.* Additional scientific sections or regrouping of existing scientific sections can through proper resolution be authorized by the House of Delegates.

(c) *Rules of Procedure of Scientific Sections.* Each scientific section shall adopt rules of procedure for its own better government and work. Its officers shall be responsible for the proper keeping of records of scientific and business meetings.

(d) *Officers of Sections.* The members of each section shall at the regular annual session of the Association elect a chairman and a secretary to serve for the term of one year.

(e) *Program.* Each of the sections shall present a scientific program at the annual session of the Association, and its officers shall be responsible for the proper preparation of the same, and for the proper cooperation with other scientific sections during the annual meeting.

CHAPTER X.—FUNDS, PROPERTY AND ASSESSMENTS

Section 1.—Reduction of Dues

The House of Delegates may reduce annual dues of active members, as follows:

(a) Those active members who have been in the practice of medicine for less than one year (on the first day of the calendar year for which such dues are payable), may be reduced to one-fourth regular dues;

(b) Those active members who have been in the practice of medicine for less than two years (on the first day of the calendar year for which such dues are payable), may be reduced to one-half regular dues;

(c) Those active members who have been in the practice of medicine for less than three years (on the first day of the calendar year for which such dues are payable), may be reduced to three-fourths regular dues.

Dues payable by associate members shall be uniform and equal but may be set at not less than one-half the regular dues for active members.

Section 2.—Annual Dues and Assessments

(a) *When Payable.* The annual assessment or dues shall be payable on or before January 1 of the year for which they are levied.

(b) *County Secretaries to Collect Dues.* The secretary of each component society shall cause to be collected and shall forward to the office of the Association the dues and assessments for its members.

(c) *Record of Fact of Payment of Dues.* The record of payment of dues and assessments on file in the office of the Association shall be final as to the fact of payment by a member and as to his right to participate in the business and proceedings of the Association and of the House of Delegates.

(d) *Dues of New Members; Amount Payable.* All doctors of medicine becoming active members of this Association under the provisions of Section 1 of Chapter II of these By-Laws shall, as provided in Section 1 of Chapter II, pay to this Association the annual dues payable by active members for the period for which membership is obtained, except that the Council may, in its discretion, with respect to all new members who acquire membership after July 1 in each year, require payment of only one-half of the annual dues for said year. Such payment shall entitle such new member to all the rights of active membership in this Association until the end of the current calendar year.

Section 3.—Bequests, Legacies, Donations and Gifts

The Association may receive through the Council or for the benefit of the Association through any corporation which may be formed pursuant to the Constitution, such bequests, legacies, donations and gifts as the Council shall deem it proper and suitable to accept.

Section 4.—Funds and Moneys; Deposit and Withdrawal

All funds and moneys of the Association by whomsoever received shall be promptly forwarded to the Secretary-Treasurer of the Association and deposited by him in a depository of the Association.

No demands or claims against the Association shall be paid and no funds or moneys of the Association withdrawn from any depository thereof except upon written voucher approved by the signature of at least two members of the Auditing Committee or by a majority vote or written approval of a majority of all the members of the Executive Committee on check or draft signed by any two of the following: the Chairman of the Council; the Vice-Chairman of the Council (only in the absence of the Chairman); Chairman of the Auditing Committee; the Secretary-Treasurer.

Section 5.—Revolving Fund

A revolving fund in such amount as may from time to time be fixed by the Council shall be deposited with the Secretary-Treasurer from which fund immediate cash demands may be paid.

Section 6.—Surplus Funds From Journal and Publications

On authorization therefor by the House of Delegates or the Council, any surplus funds arising from the operation of the official journal or other publications of the Association may be applied and used for any purposes deemed suitable or may be delivered and paid over to any corporation which may be formed pursuant to of the Constitution.

Section 7.—Contingency Fund

The contingency fund in the annual budget may not be in excess of twenty-five (25) per cent of the total amount of the approved budget.

CHAPTER XI.—REFERENDUM AND PETITION

Section 1.—Reference of Resolutions to Vote of Members

The House of Delegates may at any time, by a majority vote of those present, refer any resolution or motion pending before it to all of the active members of the Association for their vote for or against such resolution or motion. The Council may, by a two-thirds vote of all of its members and at any time within thirty (30) days after action was taken, refer any resolution or motion adopted by the House of Delegates to all of the active members of the Association for their vote for or against such resolution or motion. In addition, the Council may at any time, by a two-thirds vote of all of its members, submit any resolution or motion pending before it to all of the active members of the Association for their vote for or against such resolution or motion.

Section 2.—Form of Referendum: Arguments

The body referring any resolution or motion to the active members of the Association may, in the motion of reference, determine the form of the ques-

tion to be submitted. In the event the motion of reference does not determine the form of the question to be submitted, then the form thereof shall be fixed and determined by the Council. Written arguments for and against the resolution or motion, not exceeding 1000 words each, may be submitted by any member of the Association to the presiding officer of the referring body within fifteen (15) days of the vote of reference. Such presiding officer may choose one argument on each side and same shall then be printed and mailed with the ballots.

Section 3.—Manner of Voting; Time of Voting; Canvass

All references to the membership under this article shall be by mail ballot. The time within which each member shall cast his vote may be fixed in the motion of reference, and if not so fixed shall be fifteen days from the date of mailing ballots. Each vote must be in writing and the same must be placed in a sealed envelope bearing on the corner thereof the name of the voter. The envelope shall be mailed or delivered to the Secretary's office. The canvass thereof shall be made by a committee on referendums to be appointed, in the case of reference by the House of Delegates by the Speaker of the House, and in the case of reference by the Council by the Chairman of the Council. The Secretary shall deliver to such committee all ballots timely received, and the committee shall canvass the vote and report the results thereof immediately to the Secretary.

Section 4.—Effect of Referendum

To be considered adopted, any resolution or motion submitted to the membership by referendum shall require the same proportionate affirmative vote that such resolution or motion would have required to be adopted by the body (House of Delegates or Council) from which such resolution or motion was referred. Any resolution or motion submitted to a referendum and adopted shall have the same force and effect as though adopted in the body from which it was referred, and shall be considered as having been so adopted by such body.

Section 5.—Petitions

Any 100 active members or any component society may petition the House of Delegates or Council on any matter and such petition must thereupon be heard and considered at the next ensuing regular meeting of such body.

CHAPTER XII.—MISCELLANEOUS

Section 1.—Ethics

The principles of medical ethics as promulgated from time to time by the American Medical Association and by the California Medical Association are and shall be the principles of medical ethics of this Association and the component societies thereof, and shall regulate and govern all members thereof.

Interpretation of ethics about which any controversy may arise or exist shall be submitted to the Council of this Association, and its interpretation and ruling thereon shall be final.

Section 2.—Rules of Order

In the absence of any provision in the Constitution or these By-Laws, all meetings of the Association, of the House of Delegates, of the Council, and of committees shall be governed by the parliamentary rules and usages contained in the current edition of Roberts' "Rules of Order."

CHAPTER XIII.—AMENDMENTS

Section 1.—Amendments—Vote and Procedure

These By-Laws may be amended by the House of Delegates at any meeting of any session thereof by the affirmative vote of at least two-thirds of the qualified members thereof present and acting; provided, that any proposed amendment has been submitted in writing to the House of Delegates at least twenty-four hours previous to being voted upon.

CHAPTER XIV.—CORPORATIONS

To further aid in carrying out the objects of the Association the House of Delegates, at any meeting at any regular or special session thereof, may by a two-thirds vote of the membership thereof present and acting, authorize, empower and direct the Council to cause the formation and organization of one or more corporations under the laws of the State of California with such incorporators, name, purposes, county where the principal office for the transaction of business is to be located, first directors, the total number of shares, classes of shares, par value of any shares having par value, statement of the provisions, privileges and restrictions granted or imposed upon the respective classes of shares, or if the corporation be formed without capital stock, the authorized number and qualifications of its members, the different classes of members, if any, the property, voting and other rights of each class of members and the liability of each and all classes, to dues or assessments, and with such further provisions in the articles of incorporation thereof and with such by-laws as the Council shall prescribe, fix and determine; and the House of Delegates at any meeting of any regular or special session thereof may by a vote of two-thirds of the members thereof present and acting, authorize, empower and direct the Council to grant, assign, transfer, convey or deliver or cause to be granted, assigned, transferred, conveyed or delivered to any of such corporations upon the formation thereof or to applicants for health and accident or other insurance in or from any of said corporations at or prior to the formation thereof without any consideration therefor, such funds and property, real or personal, of this Association as the House of Delegates shall from time to time authorize or ratify.

CHAPTER XV.—REPEAL OF ALL EXISTING BY-LAWS

Section 1.—Repeal of Existing By-Laws

All chapters and all sections and parts of all chapters of the existing By-Laws of this Association are hereby repealed.

Council Meeting Minutes

Tentative Draft: Minutes of the 355th Meeting of the Council, August 21-22, 1948.

The meeting was called to order by Chairman Bruck in Room 210, Sir Francis Drake Hotel, San Francisco, at 10 a.m., Saturday, August 21, 1948.

Roll Call:

Present were President Askey, President-elect Kneeshaw, Speaker Alesen, Vice-Speaker Charnock, Councilors Ball, Crane, Henderson, Anderson, Ray, Bruck, Lum, Pollock, Green, Cherry, MacLean, Hoffman, Shipman, Bailey and Thompson, Secretary-Treasurer Garland and Editor Wilbur. A quorum present and acting.

Present by invitation were Legal Counsel Hassard, Executive Secretary Hunton, Assistant Executive Secretary Wheeler, Field Secretary Clancy, Public Relations Counsel Whitaker, county society executive secretaries Waterson of Alameda County, Donovan of Santa Clara County, and Kihm of San Francisco County, and Ben H. Read, Executive Secretary of the Public Health League of California.

Present by invitation during portions of the meeting were Dr. Malcolm Merrill of the State Department of Public Health, Dr. Forrest G. Bell of the Veterans Administration, Dr. Robertson Ward, president of the San Francisco County Medical Society and C.M.A. Delegate to the A.M.A.; Dr. John Upton, chairman of the C.M.A. Blood Bank Commission; Dr. Carroll B. Andrews, director of postgraduate activities; Dr. C. L. Cooley, Secretary, and William M. Bowman, executive director of California Physicians' Service, and the Hon. Sam L. Collins, Speaker of the Assembly of the California State Legislature.

1. Minutes:

(a) On motion duly made and seconded, minutes of the 354th meeting of the Council, held June 5-6, 1948, were approved.

(b) On motion duly made and seconded, minutes of the 210th meeting of the Executive Committee, held July 21, 1948, were approved.

2. Membership:

(a) A report of membership as of August 20, 1948, showing 8,997 paid and 532 delinquent members, was received.

(b) On motion duly made and seconded, two members whose 1947 dues had been received since June 5, 1948, were voted reinstatement as active members.

(c) On motion duly made and seconded, 55 members whose 1948 dues had been received since June 5, 1948, were voted reinstatement as active members.

(d) On motion duly made and seconded in each case, three applicants for Associate Membership were voted membership as Associate Members. They were:

J. B. Askew, San Diego County.
Robert P. Quirmbach, Santa Clara County.
Judith T. Garber, Ventura County.

(e) On motion duly made and seconded in each case, three applicants were voted membership as Retired Members. They were:

Chester F. Johnson, Alameda County.
Stanley H. Mentzer, San Francisco County.
Deon A. Crew, San Luis Obispo County.

(f) On motion duly made and seconded in each instance, three applicants were voted membership as Life Members. They were:

William H. Barnes, Alameda County.
J. Emit Cox, Fresno County.
C. H. Montgomery, Los Angeles County.

(g) The committee appointed at the last previous Council meeting to prepare rules for the reduction of dues in special cases (Kneeshaw, chairman; Charnock, Anderson) presented its report, which, after discussion, was regularly moved for adoption, seconded and favorably voted. This report provides:

(Legal counsel preparing specific language, for approval by committee members and subsequent Council approval.)

(h) The Executive Secretary reported that a canvass of the component county societies had not produced any members eligible for presentation of an emblem to honor such members for fifty years of membership. A sample emblem was exhibited but no action taken.

3. Financial:

(a) A report of bank balances as of August 20, 1948, was received and ordered filed.

(b) A balance sheet as of July 31, 1948, was received and ordered filed.

(c) A report of income and expenditures for July, 1948, first month of the current fiscal year, was received and ordered filed.

(d) The Executive Secretary reported that, acting on previous instructions from the Trustees of the California Medical Association, he had purchased \$10,000 par value U. S. Treasury 2½ per cent bonds, maturing 1967-72.

(e) The Council committee on investment of funds (Kneeshaw, Ray) recommended that current surplus funds of the Association be invested in 91-day U. S. Treasury bills on a monthly revolving fund basis which would make needed cash available each month and permit the earning of a little less than 1 per cent per annum on invested funds. On motion duly made and seconded, this report was accepted and the Secretary-Treasurer authorized to purchase such bills.

4. Constitution and By-Laws:

The Chairman reported that numerous suggestions had been made for the membership of a committee to review the Association's Constitution and By-

Laws, as directed by the 1948 House of Delegates. He listed a number of names which had been proposed and, after discussion and with the consent of the Council, named the following as members of this Committee: Sam J. McClendon of San Diego, chairman; Carl L. Mulfing and Richard O. Bullis of Los Angeles, Leslie Magoon of Santa Clara County and John W. Cline of San Francisco County.

5. *State Department of Public Health:*

(a) Dr. Bruck reported on a mailing he had made as part of a survey of the needs for caring for chronic illnesses and a similar mailing sent by others to county health officers, in which he believed leading questions were asked. Returns from these mailings are not yet complete but will be presented to a meeting of the State Department of Public Health's committee to study chronic diseases at a meeting scheduled for September 13-14. Dr. Bruck is a member of this committee.

(b) Dr. Malcolm Merrill, representing Dr. Wilton L. Halverson, State Director of Public Health, reported that special studies are being made on diabetes, heart disease and chronic alcoholism, the results to be presented at the meeting of the committee on chronic diseases.

He also stated that the State Department of Public Health has secured the services of a physician to cooperate with the blood banks, laboratories, etc., throughout the state on the technical aspects of blood banking, particularly as to grouping and typing.

Dr. Merrill summarized the present situation in poliomyelitis, pointing out that 1948 appears to be headed toward becoming the second worst year in the state's history in number of polio cases. There is a leveling off at present, which should presage a break in the polio situation in October or November.

(c) Dr. Askey reported that Doctors Cullen Ward Irish, Chairman; Hall G. Holder, Malcolm H. Merrill, George H. Houck and John Martin Askey had been appointed as members of the C.M.A. special committee on alcoholism and asked the Council to determine the scope of the committee's studies. It was agreed that the first objective of this committee should be to study and correlate the activities of various agencies in the state which are already at work on this problem.

(d) A letter from a member was read in which he complained of the manner in which he had been subpoenaed to appear in a court action, the subpoena being served by a representative of the State Department of Public Health. He criticized the manner in which this matter was handled, particularly as to the inconvenience caused him and the fact that no provision had been made for meeting his travel expenses. Legal counsel pointed out that this was a criminal case and that the subpoena originated with the district attorney of the county involved and not with the State Department of Public Health. It was agreed that assistance should be given by legal counsel in attempting to secure reimbursement for the member's expenses in answering this subpoena.

6. *California Physicians' Service:*

(a) Dr. C. L. Cooley, Secretary of California Physicians' Service, reported that C.P.S. has adopted stricter underwriting provisions which have tended to slow down its sales program and worked toward improving the servicing provisions of its present program, with results which are highly satisfactory to the Board of Trustees. Complete authority has been granted to Dr. William L. Bender, chairman of the fee schedule committee, to work for a revision of the present fee schedule and a new schedule is expected in the near future. Changes are being made in one of the service forms (Form 9) so that the beneficiary member will hereafter certify to his income being below the income ceiling.

Mr. William M. Bowman, executive director of C.P.S., distributed financial statements covering C.P.S. operations for the four months ended July 31, 1948, and a balance sheet as of July 31. Operations for this period showed a gain of \$216,297 in the stabilization fund reserve, bringing the balance at July 31, 1948, to \$401,585. Copies of these reports are to be furnished to members of the Council regularly, as well as to county societies to be read at next regular meeting of societies.

(b) Mr. Hunton reported that letters had been sent to approximately 125 hospitals asking their cooperation with C.P.S. in the matter of accepting prorated fees for radiological and pathological work and that only *two* replies had been received, both declining to accept anything less than their standard fees. It was advised that copies be sent to the regional hospital conferences, with a renewed request for cooperation.

7. *Hospitals:*

(a) Mr. Hassard reviewed the opinion issued by the State Attorney General which held that hospitals employing professional personnel and billing patients for their services without regard to the emoluments paid the professional staff were violating the corporate practice sections of the medical practice act. The Association of California Hospitals has instructed its legal counsel to work with Mr. Hassard in preparing forms of specimen contracts to cover the working arrangements of radiologists, pathologists and other physicians who may be affected by this ruling. On motion duly made and seconded, Mr. Hassard was voted authority to proceed in working with legal counsel for the hospitals in drafting the proposed specimen contracts.

(b) Dr. Bruck presented a hospital survey made in Contra Costa County and a series of questions asked by officers of the Contra Costa County Medical Society. It was regularly moved, seconded and voted to refer this matter to the standing Committee on Hospitals, Dispensaries & Clinics and to notify the county society and Dr. George Degnan to that effect.

8. *Veterans' Administration:*

Dr. Forrest G. Bell, deputy regional medical director of the Veterans' Administration, appeared be-

fore the Council by invitation. He stated that regional diagnostic clinics were proposed to be established in order to give patients comparable facilities to those in V.A. hospitals. San Diego has been selected as a pilot in this program; local physicians are to be employed on a part-time basis, at \$25 for a two-hour period of duty, or \$50 for shorter periods for specialists. He stated that the Veterans' Administration has no intention of decreasing the out-patient care program now being carried on under the V.A.-C.P.S. contract; the V.A. budget, he said, calls for 25 per cent of all pension examinations to be carried on outside V.A. hospitals and 75 per cent of all payments for medical services to be made to private physicians.

In response to questions, Dr. Bell stated that in no event were non-service connected disabilities entitled to care in regional offices; also, that the Veterans' Administration in the Branch 12 area has 3,000 of its cases being cared for in Army and Navy hospitals under contract arrangements.

Following Dr. Bell's retirement, Doctors Kneeshaw, Thompson and the secretary were appointed a committee to draw up proposed resolutions on the subjects of regional clinics and the contracting for care for V.A. patients. Upon presentation and after discussion, the following two resolutions were regularly moved for adoption, seconded and unanimously approved:

COUNCIL RESOLUTION ON VETERANS ADMINISTRATION CLINICS

Whereas, The provision of the best type of medical care to all veterans with service-connected disabilities is a prime interest of the medical profession, and

Whereas, The Council of the C.M.A. sincerely believes that such care may best be provided under conditions as nearly as possible identical with those obtaining in regular private medical practices, and

Whereas, Complete facilities and arrangements for such care are and have been available for over two years in California under the C.P.S.-V.A. program, and

Whereas, There is considerable doubt as to the need of establishing additional expensive treatment clinics; now, therefore, be it

RESOLVED: That the Council of the C.M.A., acting on behalf of all its members and in the interest of sound medical care to all veterans, respectfully requests the V.A. to review carefully and reconsider its recently announced program to establish "diagnostic and/or treatment clinics" in its regional and sub-regional offices; and be it further

RESOLVED: That members of this Association give every aid to the V.A. in the provision of sound medical care to veterans in this state, under existing arrangements.

COUNCIL RESOLUTION ON VETERANS ADMINISTRATION HOSPITALS

Whereas, It is reliably reported that about 75 per cent of the cases admitted to V.A. Hospitals are *not*

suffering from *service-connected* injuries or disorders, and

Whereas, Many of these cases are referred to (or "farmed out" to) Army or Navy Hospitals, thereby increasing the apparent shortage of military service physicians; now, therefore be it

RESOLVED: That the practice of admitting private patients with *non-service* connected disabilities to Veterans Hospitals is a potential source of serious delay in the handling of patients with service-connected ailments, is an undue hardship on the taxpayer, is highly discriminatory, and should be discontinued in the case of all those persons who are able to provide their own hospital care; and be it further

RESOLVED: That copies of this resolution be transmitted to the Veterans Administration, the A.M.A., the other State Medical Associations and our representatives in Washington.

It was agreed that copies of these resolutions should be forwarded to the Veterans Administration, the surgeons general of the Army and Navy, the Secretaries of Defense, Army and Navy, the American Medical Association, the secretaries of state medical associations and the members of Congress serving on military affairs committees.

9. Blood Banks:

Dr. Robertson Ward, as a Delegate to the A.M.A., reported on the blood bank business before the 1948 A.M.A. House of Delegates. The House of Delegates approved the report of the A.M.A. Board of Trustees in which the approval in principle of the American Red Cross blood bank program was reaffirmed. Following a meeting of a reference committee at which a Red Cross representative had expressed a feeling of difficulty with the operations of some local blood banks and had stated that the Red Cross intended to proceed as rapidly as possible to take over all local blood banks, the reference committee brought in a report, later accepted by the House of Delegates, in which further clarification was given the principles upon which A.M.A. approval was based. Dr. Ward considered this a forward step in the relationship of the profession with the Red Cross program.

Dr. John Upton, chairman of the CMA Blood Bank Commission, reported that newspaper files indicated a growing resentment, nationwide, against the Red Cross blood bank program. He reported that the commission is proceeding without definite instructions as to the extent of its authority, that additional blood banks are needed in some areas of California and that the commission is striving to assure a supply of blood to all areas of the state. An attempt is being made to start blood banks in Santa Barbara, Bakersfield, Fresno and one northern city as a part of this program. There are now in the state five community type blood banks, nine in county hospitals, fourteen in private hospitals and four new banks either operating or preparing to operate. It was agreed that a letter be sent to all county medical societies telling of the availability of the services and advice of the blood bank commission.

10. *California Medicine:*

(a) On motion duly made and seconded, it was voted to elect Doctor Maurice Sokolow to the Editorial Board of CALIFORNIA MEDICINE to succeed Doctor Mayo Soley, who has moved from the state.

(b) On the question of accepting liquor advertising, it was moved, seconded and voted that due to present conditions such advertising should not be accepted.

(c) On motion duly made and seconded, it was voted to inform the advertising committee of CALIFORNIA MEDICINE that institutional advertising should not be accepted from advertisers who did not have products acceptable for advertising in the journal.

(d) On motion duly made and seconded, William C. Mumler and Clifford Cherry of Los Angeles were elected members of the advertising committee, to counsel particularly on matters concerning Southern California advertising prospects.

(e) On the question of repeated use of physicians' names in institutional advertisements appearing in the journal, the advertising committee was asked to make review and recommendations.

11. *C.M.A. Section on Neuropsychiatry:*

The chairman read a letter from the Section on Neuropsychiatry, in which it was asked that the name of the section be changed. It was pointed out that the House of Delegates has sole authority in such cases and that the section officers be so notified.

12. *Recess:*

At this point, 5:15 p.m., the Council recessed until 9:30 a.m. Sunday, August 22, 1948.

13. *Reconvention:*

The Council reconvened at 9:30 a.m., Sunday, August 22, 1948, in Room 210 of the Sir Francis Drake Hotel.

14. *Roll Call:*

Present were all Officers, Councilors and Council members ex-officio. Present by invitation were Messrs. Hunton, Hassard, Read, Clancy, Wheeler, Whitaker, Kihm and Venables (executive secretary, Kern County Medical Society), Mr. W. M. Bowman of C.P.S. and Dr. Dwight H. Murray, chairman of the Committee on Public Policy & Legislation.

15. *Committee on Industrial Practice:*

On behalf of the Committee on Industrial Practice, Mr. Hunton and Dr. Pollock (member of the Committee) presented the proposed schedule of fees for industrial compensation cases. Mr. Hunton stated that the Industrial Accident Commission of the State of California had held public hearings on June 7 and June 10, 1948, on the application of the California Division of the Western Orthopedic Association for an increase in specific fees in the existing fee schedule. At the invitation of the two members of the In-

dustrial Accident Commission who served as a committee on this application, the Association appeared and Mr. Hunton presented a three-point statement: (1) that the fee schedule should be attacked as a whole and not piecemeal, (2) that the Committee on Industrial Practice was preparing a new proposed complete fee schedule which would be ready for presentation to the Commission by September 1, 1948, and (3) that if the Commission wished to establish a "study committee" as it had done several years earlier, such committee be limited in size and be composed of a suggested three representatives of medicine, three of employers or their insurance carriers and one or two members of the Commission as referees.

After discussion it was regularly moved, seconded and voted that the Committee on Industrial Practice be authorized to proceed with the presentation of the proposed fee schedule to the Industrial Accident Commission.

16. *Public Relations:*

Mr. Whitaker discussed several propositions which will appear on the November general election ballot and suggested that the physicians of the state be urged to take an active interest in them. This report was informative and no action was taken.

Mr. Whitaker also reported that he had been asked to utilize the "California Caravan" radio program for detailing the history of the development of blood banks, possibly in connection with the annual meeting of the Radiological Society of North America. It was regularly moved, seconded and voted that Mr. Whitaker be authorized to proceed in meeting this request.

It was also regularly moved, seconded and voted that the Blood Bank Commission continue its present program under provisions of the existing budget and that any contemplated additional expenditures be presented to the Council for approval.

17. *Employees' Retirement Program:*

Dr. Charnock presented the recommendation of his special committee (Charnock, Alesen, John W. Cline) that retirement annuity insurance be purchased for Association employees with five or more years of employment, annuities to begin at age 65 at the rate of 25 per cent of annual wages, with a maximum of \$200 monthly to any one employee. Dr. Kneeshaw suggested that such insurance be purchased by the Association for male employees but that the Association carry its own insurance for female employees by purchasing U. S. Treasury bonds each month for serial maturity and payment at a later date.

It was regularly moved, seconded and voted that the committee's report dealing with male employees be put into effect at once and that the remaining portion of the report be re-referred to the committee, Doctors Kneeshaw and Askey being added to the committee.

18. *Public Policy and Legislation:*

Dr. Dwight H. Murray reported that Hon. Ernest R. Geddes, a member of the State Assembly, was suffering from an illness and it was regularly moved, seconded and unanimously voted that the Secretary address a letter to him, conveying the concern of the Council over his condition and expressing wishes for his speedy recovery.

Mr. Read, Mr. Clancy and Mr. Hassard reported on various candidacies and propositions which will appear on the November ballot. No action taken.

19. *Legal Department:*

(a) Mr. Hassard reported on a memorandum issued by deputies in the State Attorney General's office, holding that county hospitals were eligible to receive federal funds as grants-in-aid for hospital construction if such county hospitals make their facilities available to all residents of the county regardless of ability to pay for such services. He stated the Attorney General has reviewed this memorandum and has ordered a complete review of the entire matter by the deputies involved.

(b) Mr. Hassard also reported on suits which have been threatened against the officers of the San Diego County Medical Society by legal counsel for several physicians who have failed of election to the society. On motion duly made and seconded, it was voted to authorize legal counsel to lend all possible aid and assistance to the San Diego County Medical Society in this matter.

(c) Mr. Hassard reported on a Chicago meeting (August 19 and 20, 1948) between the Blue Cross Commission and the Blue Shield Commission, at which the proposition of forming a joint association, with each organization maintaining its own identity, was considered. Also discussed was the possibility of forming a joint corporation for the purpose of issuing indemnity insurance contracts for medical, surgical and hospital service to employees of interstate organizations, with local plans to administer the program in their own areas up to the limit of their own programs. It has been proposed that an Illinois corporation be formed, with capital of \$500,000, voting stock to be held by the Blue Shield and Blue Cross plans. On motion duly made and seconded, it was voted that the Council approve these proposals and recommend to the C.P.S. Board of Trustees that they give their approval.

(d) Mr. Hassard stated that the prepaid medical care plans in the western states had held a meeting in Chicago on June 19 and had voted to form a western conference of medical service plans, provided six or more of the plans in the area approved such formation. More than six plans have now ratified this arrangement and such a conference is in process of formation.

20. *Medical Ethics:*

In accordance with action previously taken, the chairman called for nominations for a special committee to codify the principles of medical ethics. This

committee was named as Wilbur Bailey, Chairman; Donald A. Charnock and Dell Lundquist.

21. *Ross-Loos Clinic:*

The Chairman read a letter from Doctor H. Clifford Loos, outlining the application of the Ross-Loos Clinic for approval to use the seal of the A.M.A. Council on Medical Service. On motion duly made and seconded, the amendment duly made, seconded and voted, it was regularly voted that the Secretary advise the A.M.A. Council on Medical Service that it has no objection to the consideration of the Ross-Loos application by that Council provided the rules of the Council have been met and that since the Los Angeles County Medical Association has given its approval, the Council on Medical Service be urged to consider and expedite the Ross-Loos application.

22. *Physician Membership in Lay Health Groups:*

Dr. Bailey introduced a resolution proposing the adoption of a statement of policy by the Association relative to the membership of physicians in lay health groups which advocated or permitted their officials to advocate a system of socialized medicine. It was regularly moved, seconded and voted to refer this matter to a special committee for study and report back to the next Council meeting. The Chairman announced this committee as John W. Cline, Chairman; Lewis A. Alesen, E. Vincent Askey, H. Gordon MacLean and Dwight L. Wilbur.

23. *American Academy of Pediatrics:*

A request from the American Academy of Pediatrics for publication in CALIFORNIA MEDICINE of a survey made in California was presented and it was regularly moved, seconded and voted that the matter be referred to the executive board of the Editorial Board and the Executive Committee of the Association.

24. *Committee on Medical Economics:*

Dr. MacLean, chairman of the Committee on Medical Economics, requested that representatives of the C.M.A. and the Association of California Hospitals be named as members of a joint committee of these organizations, the Blue Cross plans and C.P.S. to study matters of mutual interest. It was agreed that such representatives be named.

Dr. MacLean also requested authority for his committee to proceed with its investigation of delinquent accounts and other items pertinent to a study of individual physician-patient relationships. On motion duly made and seconded, it was voted that the committee proceed with this work and that expenses up to \$5,000 be approved for this study. (Of an earlier appropriation of \$5,000 for this study, \$2,326.96 was expended and the balance returned to the general fund.)

25. *California Ambulance Association:*

A request from the California Ambulance Association for counsel in connection with the establishment of ambulance standards was read and it was agreed

that representatives of the Association should meet with ambulance representatives and give such assistance as possible.

26. *Time and Place of Next Meeting:*

After discussion it was agreed that the next Council meeting should be held in Los Angeles on November 13 and 14, 1948.

27. *Adjournment:*

There being no further business to come before the meeting, it was adjourned.

EDWIN L. BRUCK, M.D., *Chairman.*

L. HENRY GARLAND, M.D., *Secretary.*

In Memoriam

CARSON, GEORGE RYCKMAN. Died in San Francisco, June 15, 1948, age 72, after a long illness. Graduate of the Cooper Medical College, San Francisco, 1901. Licensed in California in 1901. Doctor Carson was a retired member of the San Francisco County Medical Association, and the California Medical Association.

COMSTOCK, DANIEL DELOS. Died in Oakland, Maryland, August 29, 1948, aged 68, of a heart attack. Graduate of the American Medical Missionary College, Battle Creek, 1906. Licensed in California in 1910. Dr. Comstock was a member of the Los Angeles County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

DOWLING, STANLEY WALDO. Died in San Francisco, June 25, 1948, at age 60, of appendicitis and peritonitis with cardiovascular complications. Graduate of the Cooper Medical College, San Francisco, 1912. Licensed in California in 1913. Doctor Dowling was a member of the Santa Cruz County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

FINNERTY, EDWARD JAMES JOSEPH. Died in Sonoma, August 15, 1948, aged 59, of a heart attack. Graduate of the University of Toronto Faculty of Medicine, Ontario, 1911. Licensed in California in 1911. Dr. Finnerty was an associate member of the Sonoma County Medical Society and the California Medical Association.

GILMAN, PHILIP KINGSNORTH. Died in San Francisco September 7, 1948, aged 69, of a coronary failure. Graduate of Johns Hopkins University School of Medicine, Baltimore, 1905. Licensed in California in 1916. Dr. Gilman was a member of the Marin County Medical Society, the California Medical Association, and the American Medical Association.

HERRICK, ALBERT BENJAMIN, JR. Died in Santa Rosa, August 22, 1948, aged 60, of a heart attack. Graduate of Oakland College of Medicine and Surgery, Oakland, 1913. Licensed in California in 1914. Dr. Herrick was a member of the Sonoma County Medical Society, the California Medical Association, and the American Medical Association.

HYDE, CLARENCE ELMER. Died in San Jose, June 6, 1948, age 64, after an illness of two years. Graduate of Columbia University College of Physicians and Surgeons, New York, 1909. Licensed in California in 1911. Doctor Hyde was a retired member of the San Francisco County Medical Association, and the California Medical Association.

JORDAN, PHILIP JEROME. Died in San Jose, September 1, 1948, aged 37. Graduate of Stanford University School of Medicine, San Francisco, 1938. Licensed in California in 1938. Dr. Jordan was a member of the Santa Clara County Medical Society, the California Medical Association, and the American Medical Association.

MATTISON, CHARLES WESLEY. Died in Temple City, August 26, 1948, aged 74. Graduate of the University of Illinois College of Medicine, Chicago, 1904. Licensed in California in 1918. Dr. Mattison was a retired member of the Los Angeles County Medical Association and the California Medical Association.

MURRIETA, ALFRED JOHN. Died in Los Angeles, August 6, 1948, aged 72. Graduate of the University of Southern California School of Medicine, Los Angeles, 1899. Licensed in California in 1900. Dr. Murrieta was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

PARETZKY, MEYER. Died in Los Angeles, May 17, 1948, at age 54. Graduate of Kharkow Medical Institute, Kharkow, Ukrainian S. S. R., 1917. Licensed in California in 1923. Doctor Paretzky was a member of the Los Angeles County Medical Association, the California Medical Association, and the American Medical Association.

PEARSON, BRUCE REED. Died in Salt Lake City, August 16, 1948, aged 44, of a heart attack. Graduate of the Stanford University School of Medicine, San Francisco, 1932. Licensed in California in 1932. Dr. Pearson was a member of the Stanislaus County Medical Society, the California Medical Association, and the American Medical Association.

PHILLIPS, ALBERT DANA, JR. Died in Goose Bay, Labrador, December 9, 1947, aged 42, in an airplane crash. Graduate of Syracuse University College of Medicine, 1930. Licensed in California in 1931. Dr. Phillips was a member of the Sacramento County Medical Society, the California Medical Association, and the American Medical Association.

THELEN, HENRY MUIR. Died in Berkeley, July 26, 1948, at age 32, of rheumatic heart disease. Graduate of Johns Hopkins University School of Medicine, Baltimore, Maryland, 1941. Licensed in California in 1942. Doctor Thelen was a member of the Solano County Medical Society, the California Medical Association, and American Medical Association.

THOMPSON, HAROLD A. Died in San Diego, July 31, 1948, aged 64, of hypertensive heart disease. Graduate of the University of Southern California School of Medicine, Los Angeles, 1906. Licensed in California in 1906. Dr. Thompson was a member of the San Diego County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.